1952 Acadia

CHIEF BRAVES SQUAWS

THE INDIANS
FRONT ROW, LEFT TO RIGHT: Arliene Verdin, Gloria Billiot, Montegut, La.; Irene Snow, McIntosh, Ala. BACK ROW: Bennett Weaver, Galasneed Weaver, McIntosh, Ala.; Russell Molivere, Montegut, La.

The following packet is provided by Cedric Sunray:

Cedric Sunray is a culturally, socially, linguistically, politically, generationally, by blood, sweat, and tears enrolled member of the MOWA Band of Choctaw Indians. He holds both bachelor and master degrees in Indigenous/Native Studies and formerly attended Haskell Indian Nations University. Currently he attends the University of Oklahoma College of Law and has previously taught indigenous/American Indian studies at six colleges and universities (including two tribal colleges). His primary focuses have been on language revitalization in indigenous communities and federal recognition/identity politics. He has been an invited speaker at numerous major research universities, Tribal Nations, national Indian organizational conferences, and governmental functions and has traveled to over 160 tribal communities over the past two decades to fully understand the histories of disenfranchised tribes and research the histories of historic "non-federal" tribal attendance at Indian boarding schools. He serves as project coordinator for the Haskell Endangered Legacy Project (H.E.L.P.) which is a culmination of these many visitations and friendships which have been formed over these years. To view this reality containing hundreds of Indian boarding school yearbook photos, news articles, grade reports, lists of attendees, contemporary interviews of alumni and more which relate to historic "non-federal" tribal attendance at federal and mission Indian boarding schools please visit www.helphaskell.com.
He can be contacted at helphaskell@hotmail.com –or- 405-310-2548.

OVERVIEW OF NEEDED FEDERAL RECOGNITION CHANGES

As the only tribe in the nation (MOWA Band of Choctaw Indians) to have pursued all three available routes to federal recognition to include the Office of Federal Acknowledgement, Congress, and a federal lawsuit, we may have a little insight into this process. As a tribal community whose language tapes and Indian boarding school records were mysteriously deemed received "out of time" and therefore not able to be considered in our petition, we know a thing or two. As a tribe who was called Black at a genealogical conference at Samford University in Alabama by current Office of Federal Acknowledgment Director Lee Fleming prior to his working for the BIA, we may know just a couple of things about bias. His comment that the attendance of our people and other historic "non-federal" tribes at Indian boarding schools was simply a federal "mistake" may crave a little further investigation as well. His convincing of then Assistant Secretary Kevin Gover to sign off on a negative determination after only his second day on the job (a decision Mr. Gover said was a mistake in Congressional Testimony in 2004) was indicative of his underhandedness. So there is problem number one. Leaving the same leader and staff at the helm of a supposed revised process is about the equivalent of telling the government of North Korea that they are now a democratic republic and insuring the standing leadership remains in place to get the job done. In any normal workplace, individuals who have shown the level of incompetence, inconsistency, and vendetta which has been evidenced within OFA, would have been terminated long ago. Only in the fantasy land that is the Indian service can individuals whose tactics have

been maligned in book after book, academic journal after journal, and newspaper article after article, continue on in their present positions. The leader and his staff didn't consistently follow the previous regulations. Why should any of us be inclined to believe that they would follow these?

First, living language communities should be immediately considered or reconsidered for recognition. A living language community for the purpose of federal recognition petitioning would be those tribes who have retained their indigenous language(s) from the beginning of their people to the present day. This definition would also include those tribes who maintained fluent speakers into contemporary times and implemented on-going revitalization programs prior to the passing of their remaining fluent speakers.

Second, would be those tribes who attended the federal and closely related mission Indian boarding schools. The reality that there exist tribes who generationally attended the Indian boarding schools, but have now been marginalized from the system, should be clearly acknowledged. What could be a more obvious marker of continuous relationship to the Indian service?

Third, would be those tribes who continue to reside on reservations officially designated by colonial and state governments. This is being kicked around in the current revisions. Last time I checked, one could find Indians living on Indian reservations.

In **fourth** place may be those tribes who have high rates of intermarriage with other federal tribes. Is it a social possibility that federal tribes have generationally married into these primarily small, marginalized tribal communities if they were not Indians? Did all these fed Indians just randomly create marriage patterns in non-Indian, primarily isolated, rural communities with little job security and disenfranchised histories?

Fifth in line may be those tribes who were disallowed attendance at area white and Black schools throughout the segregation period.

Sixth, may take into account the tribes with Indian designations on Census, military, and education records, along with those who have piles of letters from political officials, federal and historic "non-federal" tribes, anthropologists, ethnologists, historians, and non-Indian scholars and academics. That would probably be too much to ask.

Seventh, I will say that tribes who have retained separate languages and cultural spaces from federal tribes who have politically consumed them, should be afforded an opportunity to remove themselves from their legal grip.

Finally, there have been tribes which clearly demonstrate all or many of these obvious attributes, which demonstrate both a federal relationship and easily defined social and cultural realities, who have already been denied recognition. These denied tribes must have first consideration in any supposed revised regulations and Lee Fleming must be removed from overseeing any facet of their reconsiderations. These **tribes**, *not groups*, have paid the greatest of price in this haphazard, unpredictable, poorly steered process. No timeframes for review should exceed one year. The 30 year plan that has been the norm is completely unacceptable.

Important websites for any person with a serious interest in the federal recognition process:

www.helphaskell.com
www.mowachoctaw.com
www.acet-online.net

In 1978 Terry Anderson and Kirke Kickingbird were hired by NCAI to research this issue and present a paper on their findings to the National Conference on Federal Recognition which was being held in Nashville, Tennessee. Their paper, "An Historical Perspective on the Issue of Federal Recognition and Non-recognition" closed with the following statement,

"The reasons that are usually presented to withhold recognition from tribes are 1) that they are racially tainted with the blood of African tribes-men or 2) greed, for newly recognized tribes will share in the appropriations for services given to the Bureau of Indian Affairs. The names of justice, mercy, sanity, common sense, fiscal responsibility, and rationality can be presented just as easily on the side of those advocating recognition." 1

* 35 years later, the reasons remain the same

"Testimony of Gallasneed Weaver" (MOWA Choctaw Tribal Leader)Testimony in Support of S. 362 (S.282) Proposed Legislation for Federal Recognition of MOWA Choctaws of Alabama, 1993 U.S. Congress

"Although our tribe, the MOWA Band of Choctaw Indians of Southwest Alabama has only been recognized by the legislative process of Alabama since 1979, our people have banned together in a peculiar wooded area of north Mobile and south Washington County. This area encompasses about 30 miles in diameter and the tribe has resided here since prior to and at the time of the partial tribal removal in the early part of the 19th century. Our tribal heritage has been much like the Choctaws of Mississippi, The Poarch Band of Creeks of South Alabama, the Cherokees of North Carolina and some of the tribes of Louisiana. They all struggled and survived until our governmental system recognized that all Indians didn't go to Oklahoma. Therefore, you can see our tribe as another link in the chain of social injustice that we would humbly ask this honorable committee to address. These fore-mentioned tribes were fortunate to have gotten people in Washington's ears at an earlier date and have now removed their tribes from the poverty lines of tribal status.

Having been born in November 1933, I grew up experiencing, along with my tribe, the wrath of Jim Crowism upon Indians. We were not allowed to vote or testify in court and when the Industrial revolution finally came to the rural areas, the industries here hired the Blacks for certain stratified jobs and the whites for better paying jobs. The industrial leaders refused to hire any Indian people because of two basic reasons: 1. The big land owners had hinted to them that we were good at the timber business and that we shouldn't be diverted from that business; and 2. They knew, from some past experiences, the Indian wouldn't accept the "separate but equal" philosophy and policies of the Industrial plants. These policies specified different water fountains, rest rooms, dressing rooms and lunch facilities, and were imposed upon and readily accepted by the Blacks of this time. Since our people wouldn't accept such conditions, our tribal work force was excluded. We only became part of the work force, when former Congressman Jack Edwards won his election. We found him, not only to be a good politician, but also a humanitarian. It was through his effective lobby for the inclusion of our tribe as part of the various companies affirmative action plan, that we became part of the work force. It was also the Civil Rights laws, implemented during the Kennedy and Johnson administrations, that helped bring down the walls of Jim Crowism that had been in place for so long among our people.

Your honor, we can easily see a parallel between this recognition document of the B.I.A. and the Constitution of the United States. The Constitution was written by many wise people, but it reflected a white male aristocratic chauvinistic philosophy. But one thing was good about this document. It provided for change, by amendments. It also contained the elastic clause "For the good and welfare of our nation." The Federalist paper promised a Bill of Rights if the people would adopt the Constitution in its present form. True to their word, the people were given the Bill of Rights with the first 10 amendments. Later came the 13th, 14th and 15th which freed the Blackman, made him a citizen and gave him the right to vote. In 1920, there came about another change with the 19th amendment, which gave women the right to

vote and opened the door for their useful participation in the government. Our Constitutional scholar has said the greatest part of the constitution is the part that provided for change. The 2nd greatest thing is that society has had the wisdom and fortitude to see the need for change and has made the necessary changes as the country became aware of such need.

Unlike the implementation of these constitutional changes, the B.I.A. has made no changes in the document, although they have testified themselves of the need for some changes. They have continued to perpetuate and stagnate the system. May I call your attention to some of the basic weaknesses with the BIA process. It has a double standard. If many of the tribal leaders who helped write the documents should have their rights taken away from them, they wouldn't be able to get recertified, re-authorized or recognized when using the same standards. 2. The scholars of the process know the weakness of the system, but have done nothing to correct or change the process, as was done with our Constitution. The B.I.A. has been self-serving and has produced a group of elite aristocrat-thinking Indian leaders, who have become much like some of the earlier Southern aristocratic whites, who tried to defend the ways of the Old South in a system in which they would say to the Black and Indian, "Washington may have made you citizens, but we control the powers of the state and you must meet all of our local laws, pay poll taxes, recite part of the Constitution, and be able to read and interpret the Constitution, before you register to vote. In the meantime no whites were scrutinized through the same process. The Federally recognized tribes have grandfathered themselves behind the walls of the system and they are able to use tax money to hire expensive lawyers and lobbyists and fly jet planes from place to place to fight against us as well as other worthy tribes. Such efforts help keep worthy tribes from getting recognized by Congress. The most of these same tribes were once recognized by Congress themselves. Now they are saying, let me determine your fate. It's almost like having the fox guard the hen house. Mr. Bud Shepard, one of the authors of the B.I.A. policy, who visited our

tribe for a pre-study of our group, stated that he has never seen a more closely knit group of Indians, a people who have stayed together and preserved their history and culture while enduring great hardship. He went on to say, 'If Congress didn't recognize us, we may have trouble making it, because of the way the hoops are laid out at the B.I.A. for our tribe and other tribes like ours to jump through for federal recognition.'"

*20 years later there has been <u>no</u> change.

August 4, 1998

Mr. Wilford Taylor
Principal Chief
MOWA Band of Choctaws
1080 West Red Fox Road
Mount Vernon, Alabama 36560

Dear Longhair,

In the past few days I have had an occasion to speak to my cousin, Mrs. Gail King. Gail was present with me at the Native American Genealogical Research Seminars that were held at Samford University back in the summer of 1995. Gail confirmed the information I shared with you earlier. She also jogged my memory regarding our conversations with both Sharon Brown and Lee Flemming. Both individuals openly expressed their hostile attitude toward state-recognized tribes. This hostility was very pronounced. Basically they felt that all state recognition should be abolished.

I missed one address that Lee gave at a dinner one evening. Gail was present. She commented to me that many of the researchers who heard the speech were amazed at his hostility toward state-recognized tribes. She can tell you more about this episode. You may recall that Chief Wilma Mankiller of the Western Cherokee embarked on a campaign to influence all governors to move to abolish and/or cease recognition proceedings on any Indian group that was not federally recognized. This campaign was effective in several states. Mrs. Jane Weeks of the Alabama Indian Affairs Commission responded to Mrs. Mankillers' attempt in Alabama. Perhaps you can obtain a copy of that letter. I cannot be certain that Mr. Flemming was Tribal Registrar at the time of that campaign. However, I do know that his term ended when Mrs. Mankiller was defeated in the election.

Currently Gail is working on her Master's degree in anthropology at the University of Alabama in Tuscaloosa. One of her areas of interest is in the origins and use of the title "Black Dutch" and its association with the title of "FPC" or free persons of color. According to her research the title "FPC" was utilized in North Georgia, Tennessee and Alabama to denote American Indians. In Georgia it was used, prior to removal, in the northwestern portion of the state to denote the Cherokee living in what was called Cherokee East. Conversely, in certain areas, such as Louisiana the term "FPC" was usually reserved for people of African origin. In some of my travels, I have found that this term or designation creates confusion and in many cases even fairly qualified individuals will make the mistaken assumption that the term is reserved only for freedmen or freed Negro slaves. Unfortunately it is a common error. Hopefully, Gail's research will help clear up this matter. However, do be aware that there are those who tenaciously cling to this erroneous assumption in spite of clear proof to the contrary.

Perhaps we are interested in this more than most because our great-great grandfather was designated as "FPC" on the 1840 census in southeast Tennessee. Any existing photographs clearly demonstrate that he is not Negro. He was, in fact, American Indian.

I have one final thought for you regarding Tecumthe's 1810 journey into the south. No doubt you know that Pushmataha opposed Tecumthe. In our traditions we are told that "Push" ordered a death sentence for any Choctaw warrior who chose to support Tecumthe's plan to ally the Creeks and other southeastern tribes.

According to Albert Pickett's History of Alabama (Page 511-515) Tecumthe arrived at Tuckabatchee on September 12, 1810. There were 19 Choctaw warriors as well as other warriors present to meet him. Our (Shawnee) tradition says that there were about 45 Choctaw warriors who defied Pushmataha's orders and that they fought with the Red Sticks. After it was all over they took their families and fled south toward Mobile to avoid Push's wrath. Right now I can't give you much written documentation. However the Missouri Gazette, October 12, 1811 has a story in it that tells a little of the account. Also there is an obituary of Pushmataha in the National Journal (Washington, DC) December 28, 1824 that mentions Push's resistance to Tecumthe's mission.

There was a United States agent named Hawkins present at this Tuckabatchee council. If you can get into Hawkins' records you just might find the names of those Choctaw warriors who were present at that council. Many factoring agents kept incredible records with all kinds of names and other details. I would suggest the following possibilities, fully aware that every one may be a blind alley.
One of Hawkins' letters was written to Wade Hampton on September 21, 1811 (SoW/LR/R 37: 4252). Hawkins also wrote to a man named Eustis on Sept. 30 and Oct. 3, 1811. There are other letters. One very important source might be a book called Memoirs by T. L. McKenny. You might also check the Tecumthe Papers (probably spelled Tecumseh) 4YY2. Also The Republican and Savannah Ledger Oct. 17 and Nov. 5, 1811.

I don't know if any of this will help. If I can offer further suggestion or if I encounter pertinent documents or possible sources I will contact you.

Be at peace brother,

Don Rankin, Ph.D.
3412 Wellford Circle
Birmingham, Alabama 35226-2616

donrankin@worldnet.att.net

Attached find my initial comments on the Louisiana draft PA for the Strategic Petroleum Reserve Expansion. These were done quickly and probably do not include everything that I think needs to be changed, but they should include the major points.

To address the issue of state-recognized groups which you specifically posed, I think that entire whereas should be struck. You are treating them as Tribes by specifically including them when you do not include any other groups (e.g. historical societies, cemetery associations, church groups, other descendant organizations, etc.) in the whereasses to this PA or invite them to be concurring parties. Under federal law, they are NOT Tribes; they have no other standing than, for instance, a garden club and should be treated as such.

I have not had time to review the Mississippi PA, but I image my comments on it will be much the same as on the Louisiana PA. I will try to get you specific comments in the next couple of weeks, however I will be on travel much of that time so it may take longer.

Ken

Kenneth H. Carleton

Tribal Historic Preservation Officer/Archaeologist

Mississippi Band of Choctaw Indians

P.O. Box 6257 or 101 Industrial Road

Choctaw, MS 39350

601.650.7316

FAX: 601.650.7454

From Social Reality to Legal Fiction: The Reservation and Indian Boarding School Legacy of Historic "non-BIA" Tribes in the East and South

Eleanor Cook rolled out of bed, nervous, but excited about what the future held that day. Shunned from attendance at the local white and Black schools of rural Virginia, state officials and Bureau of Indian Affairs representatives had for years been informing members of eight of the state's tribal communities that they would be sent out for an accredited high school education to Bacone in Oklahoma, Cherokee in North Carolina, Hampton in Virginia, and Haskell in Kansas.

As the pick up pulled away from the Pamunkey reservation she readied herself for a thousand mile journey, which would begin momentarily from the train station in Richmond, Virginia. The year was 1944.

Annawon Adkins knew that she wanted to go beyond the final grade offered by her little Indian school in her Chickahominy community. Eighth grade would not enable her to pursue the many dreams she had developed in her mind over the years. Like Eleanor, she would take the long journey and end up her classmate at Bacone, an all Indian school, in far off Oklahoma. Four years later in 1949, she would accept her diploma and jump on another train waiting to take her home to her beloved Virginia.

This same year would mark the admittance of Pecita Norwood into another boarding school, Haskell, over 1,000 miles away from her home in Delaware. A member of the Nanticoke tribal community, she too was prohibited from high school education due to the segregation based policies of the day. In Kansas she would attend school with another member of Eleanor Cook's Pamunkey community, Kenneth Bradby, who had begun there two years earlier.

In 1951, Murphy Reed and Carol Johnston, members of a small Indian community in Alabama, now known as the MOWA Band of Choctaw Indians, would also take the journey out west to Bacone in an attempt to free themselves from the Jim Crowfeather South. There they would attend school with tribes from throughout the country including North Carolina's Haliwa-Saponi. The two young women would be followed by their community member Gallasneed Weaver, who had previously attended Acadia boarding school along with other members of his tribe and individual community members of the United Houma Nation, Tunica-Biloxi, and others. All were intent on breaking the chain of poverty and prejudice, which had enveloped their home environs.

Not a year later Pearl and Edith Custalow would show up on the steps of Cherokee Boarding School in North Carolina in an attempt to begin a high school course of study unavailable to them back home on their Mattaponi Reservation; a reservation which had been established in the 1600s by the British Crown and which had been continually inhabited ever since.

But the Custalows, along with other Virginia tribes such as the Rappahannock, Upper Mattaponi, and Chickahominy Indians Eastern Division, who had been outreached to by the Indian boarding school system, were recent additions in comparison to Clarence Branham from Virginia's westernmost tribe the Monacan. He attended Hampton in 1914.

This path to an education was nothing new to the many predominantly small Indian communities in the East and South who had been pushed far to the margins of American society. Though their communities were left without many government subsidies distributed to federal tribes, they were not "overlooked" when time came to educate them. Beginning with Lumbee attendance at Carlisle Institute (Pennsylvania) in the late 1800's, historic "non-federal" tribes have attended government and mission run schools for Indians such as Acadia Baptist (Eunice, Louisiana; Acadia was an anomaly in the South to integrate Indians [though they were separately categorized; see photo caption] into the racially mixed campus long before the days of desegregation), Bacone (Muskogee, Oklahoma), Cherokee (Cherokee, North Carolina), Chilocco (Chilocco, Oklahoma), Choctaw Central (Choctaw, Mississippi), Hampton (Hampton, Virginia; Hampton had an Indian program housed separately from the predominantly Black student body), Haskell (Lawrence,

Kansas), and others. The historic "non-federal" tribes from or with origins in the East and South attending these schools included the Abenaki (Vermont), Chickahominy (Virginia), Chickahominy Indians Eastern Division (Virginia), Euchee (Oklahoma), Haliwa-Saponi (North Carolina), Houma (Louisiana), Kansas Muncie (Kansas), Lumbee (North Carolina), Mattaponi (Virginia), Monacan (Virginia), MOWA Choctaw (Alabama), Nanticoke-Lenape (Delaware; with relations in New Jersey), Pamunkey (Virginia), Rappahannock (Virginia), Upper Mattaponi (Virginia), and Monacan (Virginia), along with others whose stories are still coming to light. This is not to forget other historic "non-federal" tribes from the central and western regions of the United States who also attended.

Aside from this stems the reality that eight of the nation's oldest reservations are inhabited by historic nations who are somehow non-existent on the BIA list of tribes. These include the Pamunkey and Mattaponi Reservations, Golden Hill Reservation held by the Paugussett Tribe, Hassanamisco Reservation of the Nipmuc Nation, Eastern Pequot Lantern Hill Reservation, Poospatuck Reservation inhabited by the Unkechaug Nation, Fall River/Watuppa Reservation under the care of the Pocasset Wampanoag Tribe, MOWA Choctaw Reservation, and the Schaghticoke Indian Reservation. Aside from these tribes in the East and South are other communities of historic "non-federal" Indian people who hold onto their traditional lands in the West with some being designated as reservations and rancherias.

Other tribes from the East and South, which would only gain formal federal recognition many years after their boarding school attendance, or who had attended during the years their tribes suffered termination, included (with dates of their federal recognition), the Aquinnah Wampanoag (Massachusetts; 1987), Alabama (Texas; terminated 1950s-1987), Mashpee Wampanoag (Massachusetts; 2007), Narragansett (Rhode Island; 1983), Passamaquoddy (Maine; 1970s), Pequot (Connecticut; 1983), Penobscot (Maine; 1970s), Shinnecock (New York; 2010), and Tunica-Biloxi (Louisiana; 1981). While some of these tribes do not reside on reservations, those who have for countless generations are only now having their existence on reservations acknowledged post federal recognition. There are also tribes from western locales who attended prior to gaining formal recognition, as well as members of indigenous communities outside of the United States who have left histories of attendance with the various governmental Indian schools in the US.

These brave children and teenagers became integral parts of the histories of these institutions. Many of these historic tribes who cannot be found on the BIA list today are the grandmothers and grandfathers of the reservation system. Indian Country and the federal mechanisms and academic institutions which impact her, hold a collective moral and ethical obligation to them. Institutional integrity and equality will become Indian Country's legacy as a result.

TESTIMONY OF KEVIN GOVER

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS

UNITED STATES SENATE

concerning S. 297

April 21, 2004

Mr. Chairman and members of the Committee, my name is Kevin Gover. I am a Professor of Law at the Arizona State University College of Law in Tempe, Arizona. I appear before you as an individual, and my testimony does not necessarily represent the views of Arizona State University or the College of Law. I am honored to appear before the Committee today, and I thank the Chairman for his introduction of S. 297 and for calling this hearing today.

The Federal Recognition Process

As you know, I served as the Assistant Secretary for Indian Affairs at the Department of the Interior from November, 1997 until January, 2001. The Department and the Bureau of Indian Affairs face a number of vexing problems in their administration of the laws of the United States concerning Indian tribes. Aside from trust reform, perhaps the most visible of these problems is the administration of the process for determining whether an Indian group qualifies as an Indian tribe deserving of a government-to-government relationship with the United States.

The Committee's attention to this matter is extremely important. For too long, the program has relied entirely on the administrative authorities of the Department for both its process and substance. While I believe the Department has, in general, established the correct criteria for federal recognition and afforded due process in their application, clearly these are subjects that require the attention and authority of the Congress if the program is to have the legal and political credibility that we desire.

Moreover, the program's recent notoriety in the eastern press requires that the Congress set the record straight. Far too much of the reporting on the matter is ill informed and just plain wrong. The New York Times, for example, recently reported that investigations of the program revealed that decision-making is politically influenced. That is simply untrue. Neither the General Accounting Office not the Inspector General of the Interior Department found that decisions were influenced by political pressure, partisan or otherwise.

Contrary to the thrust of these reports, the federal recognition program is not about gaming. Most of the currently noteworthy petitions were filed well before the Indian Gaming Regulatory Act was passed. I have come to view the program as being primarily about justice.

Suggestions for Amendments

As I have indicated, I would support the enactment of S. 297 in its current form. I would like to propose, however, three possible amendments that would further improve the process.

First, I strongly believe that certain petitioners, which already have been denied recognition, should be permitted another opportunity under the revised process established by this bill. I adopted a policy when I was Assistant Secretary that I would not revisit final determinations of my predecessors in office. While I believe that this was the right policy, I remain troubled to this day that justice was denied to certain tribes, particularly the Miami Tribe. Even some of the petitions I personally acted upon leave me wishing that this revised process had been in effect when I was in office. Into this category I would place the Mowa Choctaw. Finally, I remain convinced that the Chinook Tribe is deserving of federal recognition, and I believe that, if Assistant Secretary McCaleb had the resources provided by this bill available to him when he addressed the Chinook petition, the outcome well may have been different. There may be other tribes, such as the Duwamish and the Muwekma who should be eligible for reconsideration as well.

Second, I believe that fairness in the process will be enhanced by limiting the role of the Division of Indian Affairs in the Office of the Solicitor. I described above the pervasive influence of that division. I believe that such pervasive influence is pernicious to the process. I note that the Independent Review and Advisory Board will have two attorney members, and I believe that is wise. I urge that the Congress go a step further, however, and provide that, when a matter is assigned by the Assistant Secretary to the Board, no attorney from the Division of Indian Affairs be permitted to communicate with the Board. Further, to the extent the Board requires legal assistance from the Department, as it well may, that assistance should come from another division of the Solicitor's office. I suggest that the Division of General Law have this responsibility. Similarly, after the OFA has made its recommendation to the Assistant Secretary on the final determination of a petition, neither OFA nor the Division of Indian Affairs should have any further contact with the Assistant Secretary regarding the petition. In the alternative, Congress should provide that a petitioner must receive notice of the OFA's recommendation to the Assistant Secretary and have one last opportunity to appear before the Assistant Secretary and offer any rebuttal evidence it might wish. These suggestions are offered in order to further reduce the historic inappropriate influence that BAR and the Division of Indian Affairs have asserted over the process.

Third and finally, I suggest that the Committee more broadly address the issue of the significance of continuous state recognition of Indian tribes. While the existing regulations and the bill before the Committee indicate the significance of state recognition as evidence of historic identification of the tribe, I agree wholeheartedly with the Department's position that such continuous state recognition is also evidence of continuity of political influence. In its recent decision on the petition of the Schaghticoke Tribal Nation, the Department held that "the

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AL HEADQUARTERS
6 P Street, N.W.
shington, DC 20005
466.7767
466.7797 fax
w.ncai.org

NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #PDX-11-016

TITLE: Support the Return of Former Attendance Documented "Non-federal" Boarding School Tribes to Admission at Haskell Indian Nations University in Lawrence, Kansas

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, there currently exist twenty "non-federally recognized" tribes in the United States which had their citizens, over several generations, attended Indian boarding schools such as Haskell, Chilocco, Bacone, Carlisle, Choctaw Central, Cherokee, and Hampton; and

WHEREAS, citizens of these same tribes, even alumni seeking to enroll in additional classes, are no longer allowed admittance to Haskell Indian Nations University; and

WHEREAS, their removal from their own Alma-mater is an issue of historical and cultural revisionism on the part of the Bureau of Indian Affairs; and

WHEREAS, the facts clearly demonstrate attendance of these "non-federally recognized" tribes for over one hundred years at boarding schools administered and funded by the OIA/BIA; and

WHEREAS, the NCAI is tasked with protecting the rights and legacies of all historic tribal communities; and

WHEREAS, the NCAI realizes that the attempt to undermine the histories of over 700 former "non-federally recognized" tribal citizens through disallowing access to Haskell for themselves and their descendants is unethical.

NOW THEREFORE BE IT RESOLVED, that the NCAI supports the return of these twenty "non-federally recognized" attendance documented boarding school tribes to their rightful place within the Haskell admissions process on equal standing with members of federally recognized tribes, contingent upon space available after federally recognized students have been served; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2011 Annual Session of the National Congress of American Indians, held at the Oregon Convention Center in Portland, Oregon on October 30 – November 4, 2011, with a quorum present.

President

ATTEST:

Recording Secretary

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF INDIAN EDUCATION
Washington, D.C. 20240

JAN 06 2009

Haskell Endangered Legacy Project
1615 North Union Avenue
Shawnee, Oklahoma 74804

Dear Mr. Sunray:

Thank you for your letter of November 21, 2008. Based on the documentation and information enclosed with your letter, the Haskell Endangered Legacy Project (H.E.L.P.) consortium's support of Haskell Alumni promotes a valuable effort in showcasing the rich history that the respective "non-federally" recognized tribal communities have played in the Haskell legacy.

Enrollment and attendance at Haskell Indian Nations University (HINU) is a matter of Federal Regulations. These regulations provide the "rule" for enforcing the corresponding law and statute. Thus, the decision to allow students admission to HINU that do not belong to federally recognized tribes has already been determined by law, and is, therefore, not a policy call. HINU operates under these federal guidelines, and functions under the approval and oversight of the governing bodies and administration of the BIE.

With respect to the context of our conversation referenced in your letter; no provisions were cited or extended to H.E.L.P. for disregarding or circumventing federal regulations or statute. The nature of our discussion provided a commitment by my office to review this issue and evaluate the current status of HINUs enrollment limitations.

The responsibility of the BIE, its officials and employees, is to enforce the directives of the Department and the Administration and implement the laws enacted by Congress.

Sincerely,

Stephanie L. Birchwell

Deputy Director
Policy, Evaluation
and Post Secondary Education

Tunica - Biloxi Indians of Louisiana

P.O. BOX 331
MARKSVILLE, LOUISIANA 71351
(318) 253 9767

July 12, 1991

Honorable Daniel Inouye, Senator
Chairman, Select Committee
on Indian Affairs
848 Hart Building
Washington, D C 20510 6450

Attn: Lenna Joka

Dear Senator Inouye:

As Chairman of the Tunica-Biloxi Tribe, I wish to express our full support of the Mowa Band of Choctaw Indians in their efforts to gain Federal recognition.

We have been witness over the years to their struggle to maintain and preserve their cultural identity as a Native American tribe, and realize the importance of their quest for recognition as such by the federal government. As Chairman of a tribe which received its federal recognition as recently as 1981, I am all too aware of just how difficult this struggle is, and of the many hours of work that must be put into proving something to others that we feel so natural about.

We hope that your Committee will give its earnest consideration to the efforts of Alabama's Mowa Band of Choctaw Indians in its petition for recognition, thereby enabling it to begin its journey toward a better standard of living for its members and the establishment of future goals for the tribe.

Sincerely,

Earl J. Barbry Sr
Chairman

Resolution Requesting the MOWA Band of Choctaw Indians Be Given Full Federal Recognition by the United States of America

WHEREAS, the MOWA Band of Choctaw Indians is an Indian Tribe as formally recognized by the State of Alabama in 1979, and

WHEREAS, the MOWA Choctaw Tribal Council is the duly elected and authorized legislative branch of the government of the MOWA Choctaw People, and

WHEREAS, the MOWA Band of Choctaw Indians has petitioned the Bureau of Indian Affairs under the Federal Acknowledgement Regulations for status as a Federally Recognized Indian Tribe, and

WHEREAS, instead of providing a fair and unbiased review of the formal record as is required by law, the Bureau of Indian Affairs yielded to both political pressure from the more powerful consortia of Federal tribes who opposed their recognition in tandem with the economic motivations of outside interests by refusing to evaluate the petition fairly and to render the proper decision which would be to restore all the rights of the MOWA Band of Choctaw Indians by granting Federal recognition to the MOWA Choctaw people, and

WHEREAS, the MOWA Choctaw people have the indissoluble support of a significant number of independent experts and former BIA officials who were astounded by the agency's flawed decision, and

WHEREAS, legislation providing federal recognition to the MOWA Choctaw tribe was recently introduced in the House of Representatives, where a hearing is pending in the near future, and companion legislation is expected to be introduced in the United States Senate before the August district work period; and

WHEREAS, the NAACP has historically and continues to make right what is wrong by seeking justice as an advocate for disadvantaged people in need of help from the more powerful who wish to further promote their own economic and political agendas at the expense of less fortunate minority people.

THEREFORE BE IT RESOLVED that the NAACP advocate on behalf of MOWA Band of Choctaw Indians to received their full Federal recognition from the US Federal Government for legal and restoration of their rights as a Native American tribe.

Roslyn M. Brock
Chairman
National Board of Directors

Leon W. Russell
Chairman
Resolutions Committee

Benjamin T. Jealous
President & CEO
NAACP

2011

NATIONAL CONGRESS OF AMERICAN INDIANS

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Cheyenne & Creek Nations

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Dale Risling
Hoopa Valley Tribe

SOUTHEASTERN AREA
Billy Cypress
Miccosukee Tribe

January 3, 1988

Chief Framon Weaver
P.O. Box 119
McIntosh, Alabama 36553

Dear Chief Weaver:

The legislative road to federal recognition is a laborious one which does not end with the approval of the act of Congress. There are the appropriations hurdles and the seemingly endless barriers of the various bureaucracies, particularly those of the Bureau of Indian Affairs. It is often difficult to maintain appropriate diplomacy throughout it all, but that is perhaps the most essential ingredient to a successful effort.

Anything that I might do to make your journey a bit easier, I would be pleased to do.

You and the Mowa Band of Choctaw have the support of the National Congress of American Indians membership. If I need to call on their support at various stages, you only need to let us know what would best help.

I look forward to working with you on these important matters.

Aho.

Sincerely,

Suzan Shown Harjo
Executive Director

804 D STREET, N.E. • WASHINGTON, D.C. 20002 • (202) [illegible]

Poarch Band of Creeks
(CREEK NATION EAST OF THE MISSISSIPPI, INC.)
TRIBAL COUNCIL OFFICES
Route 3, Box 243-A ATMORE, ALABAMA 36502
TELEPHONE (205) 368-9136

June 20, 1981

Mr. Framon Weaver
Mowa Band of Choctaw Indians
P.O. Box 268
McIntosh, Al 36553

RE: POARCH CREEK RECOGNITION

Dear Mr. Weaver:

This letter is to formally ask your tribe in the spirit of Indian brotherhood, support our efforts for Federal Recognition. As stated previously in my phone conversation with you as Tribal Chairman of the Poarch Band of Creeks. I would request on behalf of my Tribal Council our Executive Director and entire membership that you would send a letter to the Bureau of Indian Affairs in Washington, D.C. supporting the Poarch Band of Creek's petition for Federal Recognition. The address is United States Department of the Interior, Bureau of Indian Affairs, Washington D.C. 20245.

We as Native Americans must work together to protect our rights. I assure you that if you assist us with our struggle for Federal Recognition you can count on us to be there when your petition is ready for consideration by BAR.

I hope to see you soon at the Alabama Indians Affairs Commission Meeting. Thank you for your time and support.

Sincerely,

Eddie L. Tullis

POARCH BAND OF CREEK INDIANS
Eddie L. Tullis, Chairman

Gay V. Drew, Executive Director

/ELT

9/6/2006

Chief Wilford Taylor
Cedric Sunray
315 E. Oak St.
Skiatook, OK 74070
918-907-0213

Dear Chief Taylor:

In response to your letter on February 16th, the Poarch Band of Creek Indians would like to extend our support to the MOWA Band of Choctaws in your recognition efforts. We understand there has been an air of contention surrounding the Poarch Band of Creek Indians and your tribe. For that we are truly regretful. Any efforts, conceived or real, to block your tribe's path toward recognition is unacceptable in our view.

Unfortunately, we cannot support Congressional Bill HR 3526 for various reasons in its current format. We feel that acknowledgement should come through the Branch of Acknowledgement and Research (BAR) process and congressional support should be a last resort. We understand the MOWA Band of Choctaws have exhausted all petitions and appeals. We feel that as an alternative the MOWA Band, with our support, could lobby and advocate to have a bill introduced to allow the MOWA another appeal. This would allow your tribe the opportunity to introduce and submit materials and facts previously disallowed.

Another approach supported by us would be to introduce legislation that would remove the BAR process from the Bureau of Indian Affairs and establish an independent regulatory acknowledgement committee. Please be aware if changes are made to the BAR process by any branch of government we would support the MOWA Band of Choctaws, the opportunity to resubmit their petitions through the appropriate authority.

We do not feel the Congressional Bill HR 3526 will pass and these options are a more realistic approach.

We look forward to rebuilding our relationship in the future.

Respectfully,

Robert McGhee	Daniel McGhee	Arthur Mothershed
Tribal Council Member	Tribal Council Member	Tribal Council Member

CC Honorable Jo Bonner
Honorable Richard Shelby
Honorable Jeff Sessions

September 04, 1991

Ms. Lynn G. McMillion
Bureau of Indian Affairs - BAR
MS - 2612 - M113
18th and C Streets, NW
Washington, DC 20240

Dear Ms. McMillion :

My name is Kennith H. York. I am a member of the Mississippi Band of Choctaw Indians serving on the tribal council. I have the privilege of being the first member of MBCI to earn a doctoral degree from the University of Minnesota. My degree is in Educational Administration with a collateral field in American Indian Studies.

I was asked by Mr. Framon Weaver, Chief of the MOWA Band of Choctaw Indians, to review their petition for Federal recognition. On August 17 and 18, 1991, I met with Mrs. Jacqueline A. Matte of Birmingham, AL., who is responding and documenting primary source material to three areas of obvious deficiencies as requested by the BIA. I found Mrs. Matte's research, documentation and interpretation of primary source material on Choctaw Indians exemplary. I feel confident that she should serve as " expert witness" in your determination process regarding MOWA Band's petition. I have also made the same recommendation to Chief Weaver.

It is my belief as a member of MBCI that members of MOWA Band are descendants of the Great Choctaw Nation which was disbanded by the U.S. Government during the Indian Removal Period. It is my professional opinion that MOWA Band has provided documentation regarding the history, culture and ancestral relationship as well, if not better, as any tribal petition in recent years. I recommend that you give serious consideration and provide an expeditious decision for Federal recognition to the MOWA Band of Choctaw Indians.

Advise if I could provide any assistance.

Sincerely,

Kennith H. York

Dr. Kennith H. York
807 Black Jack Road
Philadelphia, MS. 39350
(601) 656-6034 Home
(601) 683-3192 Work

cc : Chief Framon Weaver
Mrs. Jacqueline A. Matte

Modina Waters
1205 E. Central
Ponca City, Ok 74601

August 14, 2005

Senate Select Committee on Indian Affairs
Washington, D.C.

Dear Senators:

Please recommend and support the approval of federal recognition of the MOWA Choctaw Indians of Alabama. The MOWA Choctaw and their reservation were the first Indian tribe recognized by the state of Alabama. Federal recognition of the MOWA Choctaw is long overdue.

My background includes having served as Vice-Chairman, Kiowa Tribe of Oklahoma. My 30-year federal career ended with Indian Health Service. My work continued as Health Director with the Ponca Tribe at White Eagle Health Center.

Over the years, I have read and learned of the MOWA Choctaw Indians plight for federal recognition. Here are a people who still live where several generations of their ancestors are buried. Today, many of them speak Choctaw. They sing their church songs in Choctaw. All of this and more is supported and well documented by professional researchers.

In my opinion, the MOWA Choctaw have met all the criteria required for federal recognition.

Your support and recommendation for federal recognition of the MOWA Choctaw is appreciated.

Sincerely,

Modina Waters

CC: MOWA Band of Choctaw Indians
1080 W. Red Fox Road
Mt. Vernon. Alabama 36560

Search Results Provided By [illegible] Ancestry

MOWA Choctaw

Database: 1910 United States Federal Census

View Record	Name	Home in 1910 (by county, state)	Estimated Birth Year	Birthplace	Race	Gender
View Record	Felix Andrews	Mobile, Washington, AL	abt 1872	Alabama	Indian	Male
View Record	William Andrews	Mobile, Washington, AL	abt 1881	Alabama	Indian	Male
View Record	Edward Chastang	Fairford, Washington, AL	abt 1876	Alabama	Indian	Male
View Record	Joe Chastang	Mobile, Washington, AL	abt 1879	Alabama	Indian	Male
View Record	Tommie Chastang	Fairford, Washington, AL	abt 1874	Alabama	Indian	Male
View Record	Dock Evans	Fairford, Washington, AL	abt 1889	Alabama	Indian	Male
View Record	Reed Alex Indian	Fairford, Washington, AL	abt 1875	Alabama	Indian	Male
View Record	Reed Sebe Indian	Fairford, Washington, AL	abt 1871	Alabama	Indian	Male
View Record	Reed Walter Indian	Fairford, Washington, AL	abt 1873	Alabama	Indian	Male
View Record	Sullivan Andrew Indian	Fairford, Washington, AL	abt 1884	Alabama	Indian	Male
View Record	Thompson Man Indian	Fairford, Washington, AL	abt 1868	Alabama	Indian	Male
View Record	Cleveland Johnson	Fairford, Washington, AL	abt 1888	Alabama	Indian	Male
View Record	Isaac Johnson	Fairford, Washington, AL	abt 1859	Alabama	Indian	Male
View Record	Kelly Johnson	Fairford, Washington, AL	abt 1885	Alabama	Indian	Male
View Record	George Knapp	Mobile, Washington, AL	abt 1877	Alabama	Indian	Male
View Record	Frank Pinkerton	Fairford, Washington, AL	abt 1881	Alabama	Indian	Male
View Record	Rose Reed	Fairford, Washington, AL	abt 1862	Alabama	Indian	Female
View Record	Thomas Reed	Mobile, Washington, AL	abt 1859	Alabama	Indian	Male
View Record	Gus Rivers	Fairford, Washington, AL	abt 1858	Alabama	Indian	Male
View Record	Tilden Smith	Fairford, Washington, AL	abt 1882	Alabama	Indian	Male
View Record	Brad Sullivan	Fairford, Washington, AL	abt 1859	Alabama	Indian	Male
View Record	Dock Sullivan	Fairford, Washington, AL	abt 1887	Alabama	Indian	Male
View Record	Fleed Sullivan	Fairford, Washington, AL	abt 1884	Alabama	Indian	Male
View Record	Napoleon Sullivan	Fairford, Washington, AL	abt 1876	Alabama	Indian	Male
View Record	Emily Thompson	Fairford, Washington, AL	abt 1857	Alabama	Indian	Female

'Federally Recognized' Is Often Misused

BY CEDRIC SUNRAY

I recall an article concerning the murder of a highly articulate, cultural young Indian woman who was attending the University of North Carolina when this horrific tragedy occurred. She is an enrolled member of the historic Haliwa-Saponi, a member tribe of the Alliance of Colonial Era Tribes. The last sentence of the article stated, "The tribe...lacks federal recognition." Lacks? What on Earth does the murder of an Indian woman have to do with federal recognition, and why was this even mentioned? Another recent article in *The Tulsa World* ended with, "The only federally recognized tribe in Alabama, the 3,000-citizen Poarch Band of Creek Indians.... " This occurs time and again in both non-Indian and Indian news media.

I contacted an editor at the *World* and explained that some of the oldest Indian reservations in the country are inhabited by "nonfederal" tribes and that more than 20 "nonfederal" tribes attended Indian boarding schools established by both the federal government and closely related missions. He said he was unaware of this history. He was aware, however, that many members of federal tribes in northeastern Oklahoma were of predominantly white ancestry and these individuals had only recently become tribally involved.

Other articles have included statements such as, "We are the first federally recognized tribe to operate a rehabilitation center for injured birds" (because injured birds prefer "federally recognized" Indians to care for them).

"Federally recognized" is misused in many other forums as well. The Indian art world is a perfect example. One tribe in northeastern Oklahoma created a "Truth in Advertising Act," which circumvents the Indian Arts & Crafts Act definition of Indian artisans as members of state or federally recognized tribes, or those individuals designated as such by a state or federal tribe. Their act only allows goods to be sold as "Indian made" in their tribally owned stores in their 14 county jurisdiction if the artisan is an enrolled member of a federal tribe. In this way, members of historic "non-federal" tribes who have been the recipients of systemic oppression by federal policies, indigenous people from Central and South America countries who reside here, enrolled members of First Nations, tribal people from the Pacific islands, etc. are excluded, while members of federal tribes in the 1/256 and much lower blood quantum range can and are marketing their work as "Indian."

Does that sound like "truth in advertising"? Would the unsuspecting buyer of "Indian" art really be pursuing a piece of "Indian" art created by someone who is 1/256 Indian by blood if they were aware of this? And what about the numerous certificate of degree of indian blood–carrying "Indian" academics I have worked with whose connections to their tribal origins are at best as distant as their ancestry? They tend to be the ones screaming "wannabe" toward others the loudest due to their own identity insecurities.

Ironically, "federally recognized" conveys power and legitimacy to the vast majority of both non-Indians and Indians as they have no context in which to observe and interpret it. Media need to get to an honest representation of defining this phenomenon. Stating that such-and-such tribe is listed on the federal register and as such receives funding for their various programs just doesn't have the same ring of "authenticity" and "pinnacle of Indianness" as the shorter "federally recognized." "Federally recognized" doesn't address the era in which one obtained federal recognition.

The time frame speaks volumes in terms of the difficulty (or political impossibility) inherent in obtaining such a designation. It doesn't address the current state of affairs of the recognized group in terms of social, cultural, linguistic, racial, or other realities that are part and parcel to marginalization and discrimination. The federal recognition process has been highly criticized as completely biased in just about every of media imaginable.

"Federal recognition" is about convenience, expedience and power. It all seems harmless, unless your tribe is the baby.

As one who has spent years with many members of historic nonfederal tribes who have endured this reality, I can say that the failed hypothesis of "federally recognized as definer of 'real' Indian" is a form of violence. It can no longer be downplayed as political judgment. From harmful slights (such as no access to medical services) to silly attempts at belittling (such as not being invited along to speak with Obama each year), the level of disrespect and its acceptance has become pervasive. Attempting to appeal to people's sensibilities is impossible in the tidal wave of casino cash, lobbyist leadership, entrenched bureaucratic positions and identity insecurity psychosis which define Indian country's mechanisms of control.

Discomfort is one of two siblings of justice; and the way to remember those elders who have endured Indian reality, as well as the brightest young Indian people in our communities whose lives were taken from us long before their time, requires the most important of the sisters and brothers—respect.

Cedric Sunray is the project coordinator for the Haskell Endangered Legacy Project.

The Three Rs: Reservations, Revisionism and Rhetoric

BY CEDRIC SUNRAY

"The guys on the real reservations have no concern about federal recognition. They already have it."

As opposed to what, "fake" reservations?

On June 28, this statement was included in a group e-mail by Richard Allen, policy analyst for and tribal member of the non-reservation based Cherokee Nation of Oklahoma and a co-founder of the now-defunct Cherokee Task Force.

In contrast to Allen, Leech Lake Ojibwe professor David Treuer writes in his new book, *Rez Life: An Indian's Journey Through Reservation Life,* "Some Indians don't have reservations, but all reservations have Indians.... "

Despite the close association between Indians and reservations in the minds of Indian country and mainstream America, few are aware that most of the nation's oldest Indian reservations are occupied by state-recognized tribes, not ones recognized by the federal government. In 1658 reservations were established for the Pamunkey and Mattaponi in the Virginia Colony by agreements with the British Crown. The year 1659 marked the beginning of the Paugussett Tribe's first reservation, followed by the Nipmuc's Hassanamisco Reservation. Hassanamisco was divided between 1727 and 1730, yet lineal descent families, nearly 300 years later, have been able to retain a small piece of the original reservation. The Lantern Hill reservation in Connecticut was founded for the Eastern Pequot tribe shortly after the Nipmuc reservation in 1683. The Mashantucket Pequot also reside on a reservation created during the period and now are federally recognized, which according to quote number one of this article would make them a part of the "real" reservation system. The Shinnecock live on their historic reservation just down the road from the Poospatuck Reservation, developed for the Unkechaug Nation on Long Island in New York in 1700. The Shinnecock reservation was of course "fake" until they were federally recognized in 2010; never mind that they have resided there since their reservation's inception. The Watuppa Reservation was established for the Wampanoag Tribe in 1709, and its primary caretaker is the state-recognized Pocasset Wampanoag Tribe, which continues to use it for subsistence and ceremonial activities.

The Schaghticoke Tribe's reservation was founded in 1736, and was "real" briefly in the mid 2000s when they, along with the Eastern Pequot, were federally recognized. After and before having their federal status terminated, one can only assume that these lands which they have inhabited for many generations (if we don't even consider their habitation in this general area prior to the reservation system), were and are "fake."

In 1982, Alabama took lands into state trust and designated them a reservation on behalf of the MOWA Choctaw. These lands have been occupied prior to and after the Choctaw and other Indian removals of the 1800s by the ancestors of the MOWA Choctaw who were deemed squatters until a state university deemed "official" title holder, returned them to their rightful owners at a price which can only be considered as a donation.

Aside from these tribes in the East and South are other communities of "nonfederal" Indian people who hold onto their traditional lands in the West with some being designated as reservations and rancherias.

Though certainly not necessary for recognition as an Indian community, reservations are impossible to dismiss in light of federal definitions of "continuous Indian existence." Admittedly, those definition are an ever-changing and hypocritical set of rules, expectations, and ironies that have little relationship to actual Indian community cohesion, history, cultural retention and regional difference. A few politically and monetarily connected individuals, tribes and organizations intent on dismissing and silencing the collective histories and contemporary realities of reservation based "non-federal" Indian communities, epitomizes the terms *revisionism* and *rhetoric.*

It seems that some of these politically motivated groups have only recently acquired lands that have been placed into federal trust as reservations or their reservations were simply given to them by private white land owners with strong political connections (see Qualla Boundary; Eastern Band of Cherokee Indians). Even with these contradictions, they aim their hostility at the grandfathers and grandmothers of the reservation system who have maintained their lands through every conceivable prejudicial and underhanded means of taking them away.

It seems like a big helping of federal "recognition" and a side order of justice are in order, so someone tell Allen and his Aunt BIA that we are coming over to take a seat at their dinner table. And there is no need for concern—we have reservations.

Cedric Sunray is an enrolled member of the MOWA Band of Choctaw Indians (at least for now) and of Scottish, Choctaw and Cherokee ancestry.

The Ins and Outs Of Indian Country

BY CEDRIC SUNRAY

What and who are the "ins and outs" of Indian country?

Okay, so Elizabeth Warren is out as an Indian academic, but the 1/256 by blood folks I have worked with in academia are in. Johnny Depp is in, and the nearly full-blooded Indian kid from southwestern Oklahoma whose 1/16 Comanche ancestry coupled with four or five other tribes is out. Pamunkey and Mattaponi Indians who have lived on their reservations for nearly 20 generations are out, while people whose aunties found a link to an Indian ancestor through Ancestry.com and are now enrolled with a federal tribe are in.

I think I am following the logic here. Fluent speaking 87-year-old Chukchansi Indian Ruby Cordero is out (i.e. disenrolled), while the Cherokee Nation of Oklahoma enrolls someone who is 1/4,096 and they are in.

Unrecognized tribes who generationally attended Indian boarding schools such as Haskell, Bacone, Carlisle, Hampton, etc. are out, but tribes like the Poarch Creek who never had a community member sent off to such a school are in. DNA as a definer of Indianess is in and community cohesion and cultural retention are out.

Non-Indians and non-identifiable Indians running the Office of Federal Acknowledgment are in, while identifiable, cultural Indians petitioning the Office of Federal Acknowledgment are out. Communities who have been generationally discriminated against such as the Lumbee are out, but those who are in striking distance with a casino to protect (i.e. Eastern Band of Cherokee Indians) are in.

United South and Eastern Tribes signing resolutions stating that petitioning "groups" need to go through the federal acknowledgment process established by the Bureau of Indian Affairs and should not be allowed access through Congress in and the pot calling the kettle black, throwing stones in glass houses, and in complete irony out. Federal Indians with italicized Indian names and even U.S. presidents (i.e., "*Black Eagle*" Obama) are in, but historic nonfederal tribal members with similar names are out.

Indian Health Service funding racially white individuals with a Certificate of Degree of Indian Blood (CDIB) cards is in and brown skinned members of historic nonfederal tribes attempting to access basic health care are out. Nouveau ideas of sovereignty justifying disenrollment is in, while the newly disenrolled are out. White Indians in, black Indians out. Universities across the country requiring their presidents to hold a Ph.D. is out, while Haskell Indian Nations University hiring a president without one is in. People with minor Indian ancestry and zero cultural upbringing becoming Indian identity police are in, those perceived as 'wannabes' by them are out.

Fake screen names online are in, integrity and accountability out. Violence perpetrated by Indian men against Indian women in, as is covering it up by blaming non-Indian men for all the violence Indian women receive; there is no out on this one.

Silly, stereotypical, corporate sponsor–plugging Hollywood movies, such as *Crooked Arrows*, while highly creative and original works by Indian independent filmmakers out. Gaming tribes with white lobbyists in, while everyone else out. Cooperation out and increased per caps in. The people whose backs literally helped build the Five Civilized Tribes (i.e. Freedmen) out, while the 50,000 white folks on the enrollment waiting lists, in.

Jim Crow out and Jim Crowfeather in. Coming of Age ceremonies which assist in the wellness of female community members, while educating male community members to the honor they hold in our communities out (i.e. google Winnemem Wintu), while patriarchal reinvented views on Indian culture in. Indian alphabet in....CDIBBIAIHSICWAOFABIEHINUCFRBQJOMVAWAUSETNCAIDOI.... While common sense, equitable ways to deal with the Indian alphabet out. Brown oppression out, while white privilege masked by a CDIB card in.

Sorry, but I gotta run to an Indian education meeting. My daughter, who is a brown-skinned, language-speaking, enrolled member of a federally recognized Canadian First Nation and attending a historic nonfederal, reservation-based, Indian boarding school, is getting kicked out of the public school's Johnson O'Malley program. After that I have to get over to the federal court where I am being charged as a "federally recognized" Indian by the same people who were calling me and my tribe wannabes the week before. While there on my other charges I think I am going to be charged with possession of eagle feathers for not being a member of a federal tribe in the U.S.

Oh, the irony. It seems that some people can get it both ways in this world. All that is required is a "current" CDIB, some historical revisionism...or a few Hollywood blockbuster movie roles. Fortunately I like grapes. Sour, sour grapes. Legal fiction in and social reality out. I'm out.

Cedric Sunray is one of four generations of enrolled family members of the MOWA Band of Choctaw Indians in Alabama.

Disenrollment Clubs

BY CEDRIC SUNRAY

A few weeks ago, I read the following paragraph in an NPR article about the Cherokee Freedmen:

"'This is not a club; you can't just claim to be Cherokee and show up and be included,' says Cara Cowan Watts, a vocal member of the Cherokees' tribal council.

"The Cherokee Nation is the largest of three federally recognized Cherokee tribes. It boasts more than 300,000 members, and like many Indian nations, it fiercely defends its right to self-governance.

"'This is absolutely something that we have to defend. And the Cherokee people overwhelmingly voted in the Constitution that we want to remain an Indian tribe made up of Indians,' Watts says."

An Indian tribe made up of Indians? Given Cowan Watts's heritage, I found her recent remarks to be alternately funny, absurd and revisionist. Less amusing is the following statement:

"It appears that Marilyn Vann [one of the leaders of the Cherokee Freedmen] is a non-Indian insurgent terrorizing Cherokee nation families, children, elders and leadership. She and her allied terrorists attack the Cherokee people with weapons of mass disinformation and falsehoods. Marilyn Vann is aligned with anti-Indian sovereignty groups and inside self-serving mutinous malcontents who seek to destroy the Cherokee Nation if the Cherokee Nation doesn't give them what they want...her fellow non-Indian Freedmen allies want $50,000,000.00 allotment land, and apparently the right to operate gaming facilities...."

It would be easy to dismiss such an e-mail as propaganda and nonsense, but the reality is that, though she was not the author, it was forwarded widely on March 25, 2007 by Cherokee Nation of Oklahoma (CNO) Council member Watts as she was spearheading the Cherokee Freedmen removal petition. Nearly five years later, her close friend and ally, CNO Supreme Court Judge Troy Wayne Poteete would have a hand in the removal of 2,800 CNO citizens from the tribal rolls. Cowan Watts at a whopping 1/256 and Poteete at 1/32 Cherokee by blood via their CDIBs, had insured the largest disenrollment of any tribe in history.

But they were only following in the footsteps of a "few" others who have joined this elite sovereignty club. *Sovereignty* is a word that many of these tribes' officials couldn't spell 10 years ago, much less manipulate into its current form. Sovereignty demands ethical practice for it to hold any merit. We continue to stand on the sidelines when we define disenrollment as an internal issue. *Internal Issue* has become the coined phrase for the removal of many people who have been generationally involved in their tribal communities. These removals are not paper resolutions batted around in the council chambers of various tribes regarding which new firm to hire for the new "addition to the casino." These decisions directly impact the social, cultural and, at times, economic well-being of actual people. If the decision of Indian country is to place sovereignty over humanity, then we all stand condemned.

The case of the Pechanga Band of Luiseño Indians in California is a prime example of the level of absurdity that this nouveau disenrollment scheme pushes as self-determination. Elder Lawrence Madariaga's entire family being dropped sent out a reality check. How could a man who had lived on the reservation his entire life be removed? When the tribe hired professional genealogist/anthropologist John Johnson to assist them in refuting the family's ties to the tribe, he determined the opposite. The Madariaga family was Luiseño. Pechanga Chairman Mark Macarro fired back that they did not have to listen to the findings of a professional since they were a sovereign nation. He and his council also proceeded to remove all of the family's children from the reservation school. Another tribe targeted a 12-year-old and told his family that they had previously made a "miscalculation" in enrolling him shortly after his birth.

Sovereignty has become a smokescreen for illegitimate behavior, racism, nepotism and narcissism. Even tribes who can look back to histories that included banishment know that nations in today's world cannot simply send away their own or act as though they were never there.

I recognize that disenrollments are not the work of the community at large, but rather those who control the power structures within them. It seems our complacency as tribal members or citizens has allowed some of our tribes to sink to the level of the Lions, Kiwanis or—more appropriately—Knights of Columbus, in terms of function and stature in the international community.

ICTMN contributor Steve Russell writes in his new book *Sequoyah Rising*:

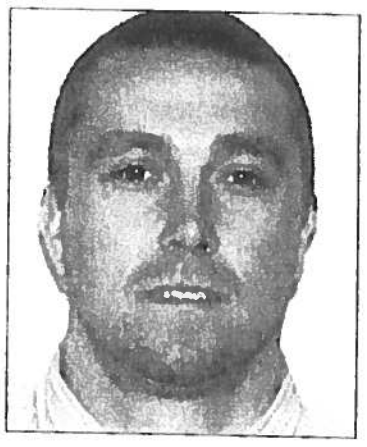
"The elders who practice the old ceremonies and ignore the tribal government are not just a band of eccentric primitives. They are on the right track, the only track, to continued life as sovereign peoples rather than social clubs. The only way to win and keep the hearts and minds of our people is to create tribal structures that rein in the high-handedness and self-seeking behaviors that infest tribal governments today."

Tell the CNO I hear they have 2,800 new slots open and I am coming down this week to join the club. Now where is my $50,000,000?

Cedric Sunray is an enrolled member of the MOWA Band of Choctaw Indians (at least for now) and of Scottish, Choctaw and Cherokee ancestry. He can be reached at helphaskell@hotmail.com.

Looking at the many ironies of federal recognition for Indian tribes

PART 1



BY CEDRIC SUNRAY

You can't fix a broken system, much less one which has never been broken such as the federal acknowledgment process. For it to be viewed as broken would mean that in its inception it was soundly constructed. Since this is far from the case, we are simply dealing with a complete dysfunction that can only become progressively worse. An Office of Federal Acknowledgment staff member tells me that there is only four American Indian staff out of fifteen fulltime and eight contractual employees, one of which is an administrative assistant with no decision making authority in the process. An employee list posted on the BIA website confirms this.

On April 21, 2004 in front of the Committee on Indian Affairs United States Senate, former Assistant Secretary for Indian Affairs Kevin Gover (Pawnee Nation) delivered a strong condemnation of the federal recognition process and pointedly stated that the denial of the Miami, MOWA Choctaw, Chinook, Duwamish, and Muwekma should be reconsidered.

The irony is that some of these occurred under his authority, though in his case, he has taken personal responsibility for the issue, unlike many others attached to the denials. In attendance for many of these similar meetings is Office of Federal Acknowledgment Director Lee Fleming who consistently defends his office. Lee is a white phenotype Cherokee Nation of Oklahoma citizen who was raised in affluence in Maryland.

In June of 1995, while attending a genealogy conference hosted by Samford University in Alabama, he exposed his clear hostility towards state-recognized tribes. Within months of his comments, he left his employment as a registrar at the Cherokee Nation to become an OFA, formerly BAR, employee. In 2005, while being practically forced by an Alabama Congressional member to attend a community discussion on the MOWA Choctaw Indian Reservation in Alabama, Lee responded to a question regarding the attendance of non-federal tribes at federal Indian boarding schools with, "sometimes the federal government makes mistakes."

With twenty-two "non-federal" attendees, as well as another sixteen tribes whose attendance predates their more recent federal recognition, and thirteen indigenous communities attending U.S. Indian boarding schools from Canada, Central and South America, and the Caribbean, it seems there were a ton of "mistakes."

Over six hundred to be exact. Of course Lee's group, the Cherokee Nation of Oklahoma, are the primary organization in the country who has been attacking the validity of non-federal people and communities while conveniently forgetting to mention to others that the majority of their own population is racially white. And when tribes submitted copies of their boarding school documentation, OFA contends that proof of attendance at Indian boarding schools was received "out of time" and therefore did not need to be considered in the petitions of various tribal communities.

Of course, OFA is always on time with their two year guarantee, which actually takes twenty. And how many of these tribes have been recognized from the South and East since Lee took over in 1996: Two. And for the largest irony in history, the Warroad Ojibwa in northern Minnesota are still not federally recognized. If they are not Indians, who is? When federal boarding school alumni made comments in objection to the current prohibition of their attendance at the recent Haskell national roundtable discussion hosted by the Bureau of Indian Education/Bureau of Indian Affairs, BIE staff refused to answer questions and the comments made by the alumni were removed from the final Bureau of Indian Education National Roundtable Discussions summary. Of course the BIE is headed by another white phenotype Cherokee Nation of Oklahoma Citizen Stephanie Birdwell, who made the final decision to exclude.

But OFA, the BIE, and the Cherokee Nation of Oklahoma are not the only ones going after these historic tribes. The United South and Eastern Tribes, which represents twenty-five federal tribes in the South and East, stand firmly against Congressional recognition as put forth in Resolution No. 2004:014 on October 23, 2003 at their Annual Meeting on the Mashantucket Pequot Reservation in Connecticut.

The problem: the Pequot were recognized by Congress, as were nearly half of USETs twenty-five member tribes. In a response to an email I sent to USET (following a prolonged telephone conversation) requesting the number of USET tribes which were congressionally recognized, former USET Executive Director Mike Cook responded on April 9, 2008, "In regards to your request for a listing of our members and details of recognition process, I am not able to comply. If we had the information readily available we could certainly forward but we do not have at our immediate access."

It has been nearly three years, but I am still waiting on that information. Not to be classed with those in opposition, the President's administration and the Bureau of Indian Affairs did a 180 degree turn with their support of the Lumbee petition under Obama's leadership. The result: nothing. When Obama's Indian advisor Kimberly Teehee, another enrolled member of the Cherokee Nation of Oklahoma, was questioned as to her thoughts on Lumbee recognition she immediately deferred comment.

This clearly indicates that the intention in the BIA was never to recognize the Lumbee, only to appease the sympathy of the new president. This was made crystal clear when only federal tribal leaders were invited to the two Presidential sit downs that have happened recently. If the BIA had any intention of providing services to the Lumbee people or any other historic tribe, it would be done. Never mind that the Lumbee were sent to federal Indian boarding schools like Carlisle a hundred years ago.

Part II next week

(Cedric Sunray (MOWA Band of Choctaw Indians) Project Coordinator; Haskell Endangered Legacy Project (H.E.L.P.) helphaskell@hotmail.com, 405-310-2548, 1917 Pelham Circle Norman, OK 73071)

LETTERS from page A4

add to the thinking and understanding of issues by my students.

One of the classes I instruct for Sitting Bull College is Current Issues in Native North America. My students have Stew Magnuson's article, "Some lessons for those who want to follow in AIM's footsteps," which was taken from the Native Sun News, January 5-11, 2011. One part of their finals is to write a paper about AIM, pro or con or both. These articles are most helpful.

Thank you Tim for all that you write. It gives us lots to think about, we understand better and examine issues from other perspectives.

Have a good day.

them on the topic for school and otherwise. Thank you Tim for your work and professionalism.

Best Regards,

Susan M. Guerin
Confederated Tribes of Warm Springs
Warm Springs, Oregon

Struggles of Santee Sioux Nation proves 'Sovereignty is non-negotiable'

To the Editor,

At this time I would like to express my deep and sincere appreciation to the Santee

as a beacon of hope for all other indigenous peoples who are subjugated to unfairness and government-imposed apartheid.

Today, many people will probably never fully understand the depth of political pressure and economic hardship your nation was forced to contend with during this difficult time. It is sad that there will remain a number of those who will not appreciate and respect what you have done and continue to do. But there are those in Indian Country that do understand and remember, and I am glad to be among them.

I believe, without a doubt, that tribal nations and indigenous peoples throughout the

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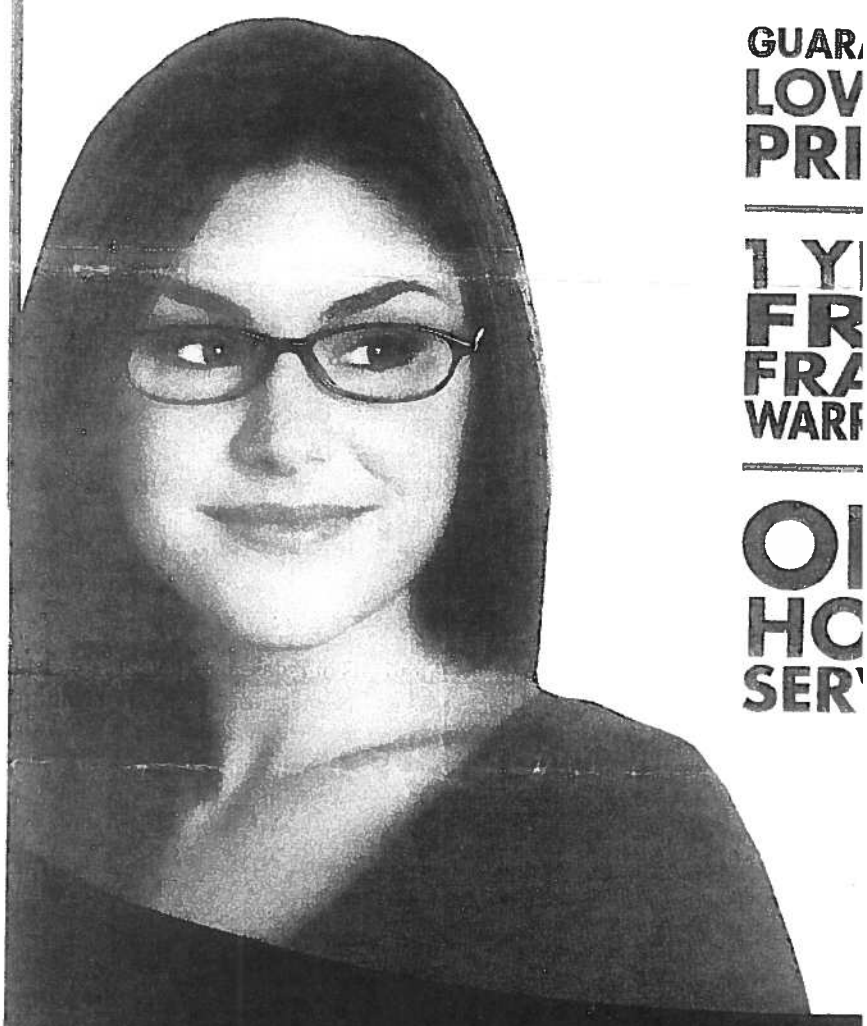

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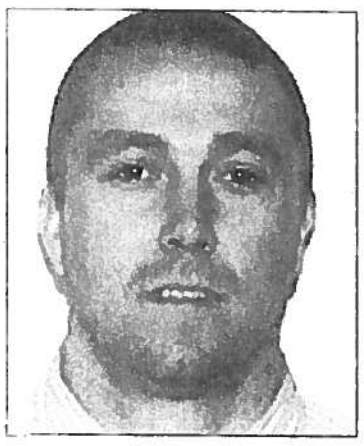
Sovereignty has become a revisionist term for many Indian nations



BY CEDRIC SUNRAY

After contacting the Indian Arts & Crafts Board in late 2010 to question their current "federal Indian only" campaign as going against the intent of the 1990 Indian Arts & Crafts Act, a staff member stated, "The only reason state tribes are on there is because some Senator or Governor or someone from Virginia or North Carolina showed up in the eleventh hour and forced their inclusion."

She then refused to release her tribal affiliation and I later found out she is a white phenotype member of an Eastern Oklahoma tribe. What a shock. And recently, universities from across the country have begun to question the identities of "non-federally" recognized tribal faculty, while federal tribal members with blood quantum dipping into the 1/512 category receive no scrutiny.

The same can be said for Indian Art. Membership in a federal tribe constitutes Indian Art legitimacy. I don't know about you, but when someone who is 1/512 is selling me art as an Indian I might need to take another look. And during the current Freedmen fiasco, Chad "Corntassel" Smith flies to Canada and receives the support of the Assembly of First Nations regarding the Cherokee Nation of Oklahoma exercising its right to determining its own citizens; i.e. "sovereignty" as justification for racism.

Upon his return, he and his council create an Indian Art Act which excludes Canadian Indians from being viewed as authentic Indian artisans and thereby they are excluded from selling their wares as Indian art within the CNOs fourteen county jurisdiction. With a population of 300,000 tribal members, the CNO outnumbers the entire population of all state-recognized tribes they so adamantly oppose in the country.

The disenrollment of the Cherokee Freedmen by Chad Smith and his 1/256 Cherokee by blood council member Cara Cowan-Watts is indicative of the racism that has consistently faced Indian people of mixed, or perceived mixed, black descent. There is nothing wrong with being 1/256 of anything, but someone like this simply cannot weigh in on issues of Indian identity and play judge and jury.

While the CNO can make her a citizen, it cannot make her a racial Indian, any more than my predominantly white butt can be made a phenotype Indian by my tribe. Terms such as 'tri-racial,' 'Sabine,' 'mulatto,' 'redbone,' and others have been used to contest the identity of numerous of the twenty-two Indian boarding school tribes. Prejudice towards these communities is a way of continuing racial discrimination which is no longer acceptable in the mainstream, because white "Indians" can run behind their minority status as "Indians," while continuing white prejudicial tendencies.

What about this continuing disenrollment hysteria? Since 2000, 44 federally recognized American Indian tribes have disenrolled their tribal members. Of these, zero either do not have casinos or are not in the process of developing one. The removal of Lawrence Madariaga and his family at Pechanga, the attempted removal of a twelve year old child at another tribe, along with thousands of others do not even need explanation for their level of injustice.

Many of these individuals and families had been enrolled and community involved for many generations. Supporters of disenrollment cry, "take it to tribal court," as the tribal councils responsible for removal control the tribal courts responsible for making the decisions. This same vein of thinking is used by those against historic "non-federal" tribes when they make never ending comments like "the law is the law," "quit crying about it," etc. Their same forebears stated the same things in the 1950's and 1960's to black folks when they made these same comments concerning their attendance at schools and public beaches and the usage of bathrooms and water fountains.

And if and when a tribe does get federally recognized and therefore a tribal member federally enrolled, there is simply no guarantee that such a status will continue. From 1945-1960, tons of tribes were affected by termination era policies. Five years ago, both the Schagticoke and Eastern Pequot in Connecticut found out that this termination era had not ended. Larry Echo Hawk's recent decision to support the disenrollment of sixty San Pasqual tribal members is just another continuation of what Pamunkey tribal member Rose Powhatan, in the 2010 book The People Who Stayed, termed, "document genocide; The deliberate extermination of a race of people through changing information about them in an official paper."

Sovereignty has become a revisionist term for many federal

Please see **SUNRAY** page A14

Improvements to our casino are not being met causing loss of customers

BY IVAN F. STARR
Native Sun News COLUMNIST

I enjoy playing the slots. However, I have not visited our very own Prairie Wind Casino & Hotel in the aftermath of the 2008 debacle with a group of Minnesota gaming consultants. I must say this group was willingly brazen (backed by certain elected officials) as they tore apart our gaming facility. For a long time after that, I felt alienated and uncomfortable each time I visited our casino.

As I remember, we lost a lot of our customers and those that remained were mostly local residents. I recall customers bringing their own lunch with them when they came to play since the restaurant prices went sky high. I still wonder about the one employee that was manhandled by a member of this professional consultant group; amazingly, no one did anything about it.

amount of embarrassment caused by a number of things that occurred, or did not occur. Customer service leaves much to be desired and an air of neglect prevails in many areas.

The smell is most notable

cleaning. The slot machines themselves were badly smudged and dusty as were the spaces between them. Perhaps inadequate, or the lack of, training caused this condition.

One machine was not operative with "print paper out" and "call attendant" messages flashing on the screen. I turned the "service" light on but no one noticed; I waited for about 15 minutes. I finally approached a security guard and told him about the machine. He reported the situation on his hand radio and came over to the machine, wrote down information from the machine and left.

He returned a couple of minutes later, opened the machine and refilled it with printing paper. Then he started to leave without batting an eye toward me. I had to ask him if the machine was ready for play. With-

nity. Included was her double-wide trailer. Authorities later discovered she used this home to traffic cocaine and marijuana.

added a dangerous weapon enhancement to his sentence which Spotted Elk challenged in his second appeal.

Spotted Elk's original sen-

ounces of cocaine per month.

The court of appeals answered saying the jury found that over fifteen kilograms

(Contact Evelyn Red Lodge at welakota@yahoo.com)

properly and to discuss issues in a legal manner. We have already covered the bases in terms of the issues surrounding the casino, the tribal write offs, the disallowed costs, the

(Jeff Whalen, a concerned member of the Oglala Lakota.)

CHAVERS from page A5

of the National Honor Society when he finished Bemidji High School in 1987.

He taught at the University of Wisconsin at Milwaukee for five years before coming to Bemidji State in 2000. He is a tenured full professor in the Department of Modern Languages, one of only a handful of Indians who are full professors. The fight to earn full professorships for Indians, which a bunch of us started 40 years ago, is still going on, with little success. Most of the Indian professors are still assistant or associate, without tenure.

Anton has won fellowships from the most prestigious outfits in the U.S., including the American Philosophical Society, NEH, NSF, Minnesota State Arts Board, Minnesota Historical Society, Minnesota Humanities Commission, the MacArthur Foundation, the Bush Foundation, the Guggenheim Foundation, and several others.

His mother Margaret Treuer is enrolled at White Earth, but has lived at Leech Lake all her life. She was the first Indian woman in the State of Minnesota to earn a law degree. She has worked for the tribal courts at Leech Lake, Mille Lacs, White Earth, Red Lake, and Bois Forte, where she is currently chief judge.

His father Robert is an Austrian immigrant who survived the Holocaust. He is also the author of three books and has worked for Indian communities for decades.

The whole family is made up of high achievers. Anton's sister Megan is director of Anishinaabe Regional Defense, a legal services firm at Leech Lake. His brother Micah is a medical student completing a residency at Sanford Clinic in Bemidji. David is a Professor of English at the University of Southern California and an award-winning novelist and essayist.

But the most amazing thing to me is his work preserving and restoring the Ojibwe language. He has worked with Larry Stillday, an elder at Red Lake, and Eugene Stillday, another elder, for years. They have developed curriculum books, readers, and workbooks in the Ojibwe language that are being used in the schools now.

A lot of people have talked about Native language preservation but few have done a whole lot about it. Anton, Larry, Eugene, and the other speakers have proved the rule.

Anton and his wife Blair Treuer live between Bemidji and Cass Lake with their eight children.

(Dean Chavers, Ph.D., is the Director of Catching the Dream, a national scholarship and school improvement program for American Indians, located in Albuquerque. His address is CTD4DeanChavers@aol.com. His latest book is "Racism in Indian Country," published by Peter Lang)

SUNRAY from page A6

tribal nations, who only thirty or forty years ago were practically non-existent. It is a 'holier than thou' protection device to hide immoral and unethical considerations and to create a clearly and well defined caste system in Indian country. A caste system which lumps in historic "non-federal" tribes with upstart "Indian groups," buries access for impoverished federal tribes in the Plains and other regions who lack political and economic power, and hides the predominant white racial ancestry of the majority of these few tribes and their tribal members who push their massive federal allocations, gaming revenues, and perceived greatness down the throats of those whose access has been denied.

And what has happened to the lobbyists hired by these federal Indian corporations? Where are Tom Delay, Jack Abramoff, Michael Scanlon, Kevin Ring, and the many others who contributed to the political campaigns and machines of these various tribal leaders and who then were shopped out to the general media as Indian exploiters? In all reality, these tribal leaders knew clearly what they were paying for and reaped the rewards of their aggressive tactics by receiving preferential treatment for government grants and services, while having the casino dreams of neighboring tribal communities crushed. These guys served time, are doing time, or are about to do time.

And last, but certainly not least, are the new cowards of Indian country. These screen names, anonymous websites, and tribal newspapers controlled by tribal governments, who have become the dispensers of misinformation where no-one has to take accountability for their actions and the harm they inflict.

While I am going to close with my tribal affiliation, bear in mind that it could change quickly. Even though I am a person descended by blood, I may be dis-enrolled tomorrow (that won't really happen as our tribe has integrity), my tribe may be terminated by the state, or we may gain federal recognition and then be terminated two years later. Just ask the thousands of people from various tribes across the country that has lived this reality over the past years. Also, as a guy of white phenotype myself, I clearly understand the reality of white privilege and thus defer to those in my family and community who must confront direct racism due to their appearance, in any and all matters of "real deal" Indian oppression, a lesson for those who continue to operate on the failed hypothesis that "federal Indians are real Indians."

For more information and documentation concerning the attendance of "non-federal" tribes at federal and mission Indian boarding schools please visit www.helphaskell.com

(Cedric Sunray (MOWA Band of Choctaw Indians) Project Coordinator; Haskell Endangered Legacy Project (H.E.L.P.) helphaskell@hotmail.com, (405) 310-2548, 1917 Pelham Circle, Norman, OK 73071)

STARR from page A6

operation within 24 hours.

About a couple of months ago I made some of my concerns known to the General Manager during a meeting of the tribal gaming commission in Wanbli. Interestingly, he was unusually quarrelsome at that time. Anyway, from what I have seen, my concerns did not amount to anything. This merely piques my curiosity though about what the casino manager has been doing for our casino?

On one visit, there was a lone cashier in the cage. This person seemed to be irritated by my presence as I cashed in a ticket. Later in the evening, I informed the same cashier about a problem with a machine I had been playing. He responded; however, there was absolutely no indication of customer courtesy as he went about whatever it was he was doing.

I saw the computer printed labels scotch-taped on nearly every machine informing customers that the casino is not responsible for credits left in the machine. Nearly every casino displays these same labels on their machines but they are commercially printed lending to a distinctive air of quality professionalism. Our locally made labels make our casino look "cheap," for lack of a better word.

On many occasions, I witnessed panhandling both on the parking lot and on the casino floor. This means people are soliciting customers for money. Panhandling at our gaming establishment not only diminishes the quality of our gaming and customer enjoyment, but it also curtails the intended cash flow; some customers were clearly upset after being "hit up." I imagine these customers will go elsewhere.

Sioux Nation Shopping Center in Pine Ridge Village is also plagued with this panhandling as people try to sell EBT (or buy) and solicit money for a drink. It is very uncomfortable going there to shop. The gaming commission has repeatedly discussed this and other problems at our casino and management has banned perpetrators, including panhandlers, from the casino for extended periods of time.

Whatever measures taken to curb this activity, including the overall condition of the facility, have been ineffective. Also, since the beginning (1994), our casino has attracted drug trafficking. I know of video recordings that had been pulled from the casino surveillance files for investigations. Yet, tribal law enforcement, casino security, and management have not been able to stop this illegal activity.

Anyway, the question that sticks in my mind concerns the integrity of our gaming establishment. For one, we are part of the larger Indian gaming field. I do not want our casino to be the only one operating with such discrepancies. I have overheard, during my travels as a commissioner, members of other gaming tribes poke fun at our little operation.

Instead of retaliating, I hope our Tribal Council, gaming commission, and casino management take this seriously and effect some positive changes toward factual integrity. Lastly, the only reason I am "airing dirty laundry" is because no one else is doing it; everyone seems content with promoting and maintaining status quo.

(Ivan F. Starr, P.O. Box 147, Oglala, SD 57764 Ph.: (605) 867-2448; E-mail: mato_nasula2@yahoo.com)