



AMERICAN RIGHTS GUARDIAN UPDATE

VOLUME 8 NUMBER 3 Summer 2004

The only printed voice of opposition to Federal Government Indian Policy in Wisconsin

Published by Protect Americans' Rights and Resources to maintain an informed membership

You know folks, these days I can't feel anything but good about the progress that has been made by PARR and other organizations, putting the breaks on the runaway Indian Industry in this country, (and I am not a hopeless optimist). Of course the first that comes to mind is the Wisconsin Supreme Court decision to declare Gov. Doyle's compacts with the Tribes unconstitutional. I can't say we were totally responsible for this action, but we sure had a hand in it. Just as we had an influencing hand in the filing of the suit by the Dairyland dog track, claiming that the expanded gambling compacts violated the state constitution, because of the 1993 binding referendum that in essence said "no more expansion of gambling past this point." And I would like to add that PARR was in the forefront getting this referendum past. So! Are our efforts in vain? I don't think so.

The biggie, on the Federal level was blocking Senate Bill 578 which if enacted would have insured Tribal Sovereignty. Throughout the country, from the East Coast to the West, there has been one win after another in Congress and in the Courts.

The other is the US Supreme Court, against the advice submitted by the Solicitor General. The Supreme Court will hear City of Sherrill v. Oneida Nation in its upcoming session this fall. The City of Sherrill, one of the smallest towns in New York, filed suit. This town is adjacent to the large Turning Stone Casino, owned by the Oneida Nation. This tribe's properties (at least 27,000 acres) are all fee lands, never taken into federal trust, thus exempt from taxes to the State of New York. The Turning Stone casino, along with its tribal hotels, resorts, golf courses, gas stations, convenience stores, etc., has economically gutted the communities of Sherrill, Verona and Vernon New York.

The issues to be reviewed by the Supreme Court are:

1. Is the Oneida property "Indian Country" when land was neither set aside by federal government nor superintended by the federal government?
2. Is fee land owned by Indians (and not taken into trust or under federal superintendence) taxable by state and local government? Regardless of whether the Supreme Court rules narrowly or broadly, the fact that the Supreme Court has decided, even against their Solicitor General, to hear this case, and hear it quickly, has sent shivers throughout the Indian law industry.

For a little town that has been trampled economically, and trampled upon throughout the lower courts, this is a huge victory for the City of Sherrill - one that can have significant national impact too.

Lawmakers as well as judges are beginning to realize that the general public is fed up with the super-citizenship that has been awarded to the Indian, with no legal basis. (Parr's officers and board) are very optimistic.

What's in this issue?

On Page 1: Navajo Jim Doyle's wings are clipped.

On Page 2: Spearers Take 987 Walleyes from Kentucky Lake.

On Page 4: Kerry tries to woo Gun Voters.

On Page 4: Another Good Deal in the making by our Shrewd Politicians.

On Page 5: Hell Yea! After you read this you will agree.

On Page 5: Piers: A must read if you own lake frontage.

On Page 6: Warning: Don't mess with Peggy Lautenschlager

On Page 7: Tribal Sovereignty Myth challenged.

On Page 8: Ancient Indian History Challenged by New Test.

On Page 8: Indian Support For Democrats Stresses "Swing Vote" Power.

Don't forget the September 18th PARR Membership Meeting at Arbor Vitae WI.

Navajo Jim Doyle's Wings Clipped

(By Bob Manzke)

May 13, 2004 Madison - The state Supreme Court ruled that Gov. Jim Doyle overstepped his authority in negotiating expansive gaming compacts with the United Tribes of Wisconsin. The court's ruling says that Doyle's gambling deal improperly cut the Legislature out of the decision, overstepped state constitutional bounds by allowing craps, roulette and other Las Vegas games, and that Doyle had no authority to give up the state's sovereign immunity as part of the deals. Shortly after the ruling, the Potawatomi, which operates the state's richest casino in the Menomonee Valley, announced that it would pay just \$6.4 million of the \$40.5 million called for in its compact and intends to continue to offer the same \$40.5 million games craps, roulette, etc. After a lawless challenge like that where are our law-enforcement crown heads?

Page 1

Continued... See Clipped Page 2

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...Continued From Page 1...

When her royal majesty Federal Judge Barbara Crabb re-wrote the treaties with the Chippewa, we were told definitely and emphatically that we have to accept her bench legislation as **THE LAW OF THE LAND**. She went so far as to crucify Treaty Rights opponent Leader Dean Crist to put the fear of the government into to those who may disagree.

Parr's question to E. Michael McCann, Milwaukee's DA and the states top cop Attorney general Peggy Lautenschlager, is: How come when one liberal judge issues a decree it's **THE LAW OF THE LAND**, but when the state constitution is ignored, the loud crash of their silence is deafening?

Fast forward to the present. The hedging and whining about paying the promised \$40.5 million is becoming comical. The Tribes claimed they were broke in spite of the \$1.1 billion Tribal gambling income that was enjoyed for fiscal 2003. They claim that they couldn't get a loan without a guarantee to the gambling monopoly. Well that's quite a scam the Potawatomi tried to run, but Eastern Wisconsin U.S. Attorney Steven Biskupic called their bluff. He told them to pay up or get shut down. Meekly, on the last day, they paid the \$40.5 million.

In a different but related case the state Supreme Court deadlocked 3-3 over whether casino gambling is legal in Wisconsin and kicked the case back to an appeals court for further consideration.

Last year, the 4th District Court of Appeals passed the case onto the Supreme Court without weighing in on it, determining that only the high court should tackle the monumental issues raised in the suit. This decision

means the lower court will now have to hear the case, which was filed by Kenosha's Dairyland Greyhound Park against the state in 2001. Dairyland argues that a 1993 amendment to the state constitution banned all casino gambling in Wisconsin. Breaking down the split decision in the Dairyland case: Chief Justice Shirley S. Abrahamson was joined by Justices Ann Walsh Bradley and Patrick N. Cooks in agreeing the Dairyland case should be tossed out. Justices David T. Prosser Jr., Diane S. Sykes and Patience D. Roggensack voted to reverse that decision, according to the two-page order. Justice Jon P. Wilcox signaled early on he would not participate in the case, but he never gave a reason for excusing himself. This split decision came as a surprise to Doyle's camp who pooh-poohed this lawsuit as a nuisance.

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Issue Item

I recently read that the Indian Community School in Milwaukee will need \$300 to \$350 million in the bank to sustain operations after 2011, when payments from Potawatomi Bingo will cease. Wow! Back up the money train! Wasn't the main reason for Potawatomi Bingo's genesis to provide capital for the Indian Community School?

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Issue Item

After all, the whole point of America, historically speaking, was to allow us all, as citizens, to govern ourselves. And, as the most vital issues that we all face everyday are primarily local issues-personal safety, for example-citizen control of local government is absolutely necessary to the entire American experiment.

This idea of citizens governing themselves is known-in language dating back to the Ameri-

can Revolution as citizen sovereignty.

In England there was but one sovereign: the king. Everyone else was his subject. However in 1783-defeated in our Revolutionary War the king of England in the treaty of Paris ceded his sovereignty to the people of America. Consequently, the subsequent history of American constitutional law is thick with legal acknowledgments of this fundamental principle.

In United States v. Lee, 106 U.S. 196, for example, the U.S. Supreme Court wrote: "Under our system the People, who are there [in England] called subjects, are here the Sovereigns." Similarly in 4 Wheat 402: "The People in their capacity as Sovereigns made and adopted the Constitution; and it binds the state governments without the states' consent."

With that being said consider this: Tribe buys land for casino.... "Hotel Lac du Flambeau - The Lac du Flambeau Chippewa tribe has purchased 93 acres near the southwestern Wisconsin city of Shullsburg to build a casino and hotel complex, tribal officials announced. The tribe, whose council voted last week to buy the land, is seeking approval to build a casino on the off-reservation site."

The question here is; how come our individual sovereignty, as in most Indian cases, is not even being considered?

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Spearkers take 987 wall-eyes from Kentuck Lake

(By Greg Graunke)

Do you recall the article "Spearing Mysteries" in the last ARGU? It took us what seemed like forever to get the Chippewa spearing declarations from our DNR. The slaughter at Kentuck Lake no doubt is the reason for the run around. The

Continued...See Kentuck Lake Page 3

Kentuck Lake

...Continued From Page 2...

following article by **Kurt Krueger, Vilas County News-Review** editor, will explain it better.

"The spearing of 987 walleyes from Kentuck Lake in eastern Vilas County has sport anglers wondering why they continue to be regulated by trophy regulations that allow one walleye daily with a 28-inch minimum size limit.

"Department of Natural Resources (DNR) officials confirmed that the Mole Lake band of Chipewewa Indians speared the 957-acre lake during off-reservation spearing this spring.

"DNR officials say they could do nothing to stop what many of them considered a premature harvest in a walleye fishery that was still being rehabilitated following stocking efforts in 1999 and 2000.

"It's their right," said Michael Staggs, director of the DNR's Bureau of Fisheries Management. "We talked about an overall management plan, but it never got done and this occurred. We are not on the same page. But even with a plan, they aren't bound by it, legally."

"Steve Gilbert, the DNR's fish manager for Vilas County, said that the tribe stopped spearing voluntarily in 1998 and the state limited anglers to one fish daily with a minimum size limit of 28 inches.

"However, he said the DNR sets a safe harvest limit annually on every lake in the ceded territory, and the tribes have a right to make spearing declarations under federal court rulings.

"Gilbert said he believed the committee overseeing the rehabilitation of the walleye fishery on Kentuck Lake had agreed to reach a consensus on the reha-

bilitation before the lake was re-opened for harvest.

"It was my intention to have a joint reopening, where spearers and anglers would resume harvesting walleyes in the same year," said Gilbert. "But this all came too fast, and our process is slow. We need two years to change a regulation."

"Though Gilbert suggested an emergency rule to modify the lake's trophy status, Staggs said such rules usually involve serious biological issues.

"Opening the lake to an additional angling harvest might have solved the harvest equity issue, but it doesn't solve the management problems," said Staggs. "It sort of took us by surprise. The lake was still in recovery mode." He said it was the DNR's concern that despite a population estimate of more than 10,000 adult walleyes, there weren't enough mature females in the lake to warrant increased harvest.

"When we heard they were going to declare it for spearing, we suggested to them that it wasn't an appropriate time to begin harvesting," said Staggs. "We asked at the very least, that they limit the harvest to fish less than 20 inches to protect female walleyes. They did that, but we haven't seen the details of their harvest activity and what percent were male fish."

"Staggs said opening Kentuck Lake to anglers wouldn't help the recovery because they would get immature females as well as males. "The equity allocation issue aside, opening the lake doesn't help the walleye population," he said.

Blame the fish!

"Wayne Labine, who represents the Mole Lake Band on the Great Lakes Indian Fish & Wildlife Commission (GLIFWC) board and on the Voigt Task Force, said Monday that the DNR really isn't to blame. "The fish are to blame.

It was such a successful rehabilitation project that it caught everyone by surprise. The DNR just couldn't react to it in time," said Labine.

"Labine noted the same slow regulatory process that prevents the DNR from quickly changing the one-fish, 28-inch limit for anglers was also blamed when anglers were able to fish walleyes on Kentuck for a year or two after the tribes stopped spearing.

"We stopped spearing. You guys kept fishing. It's a horse apiece," said Labine. "Don't blame the DNR for anglers not being able to take more walleyes. It's the process. They asked us to wait, and that was not agreed to."

"He said if Gilbert's understanding was that the oversight committee would have to reach a consensus before the tribe resumed spearing, he's the only one with that understanding of it."

He said the tribe believes the walleye fishery is so good in Kentuck Lake that more angling would be justified.

"The state's process is slow, but there should always be an exception to the rule," he said. "There are plenty of walleyes there, just like back in the 1980s."

PARR Ed. Note: "Don't blame us the fish made us do it!" With that ridiculous excuse they went out and blatantly violated a joint venture based on the mutual agreement not to harvest till both sides consent. So much for the integrity of the Walleye Warrior.

Here's another chuckle provoker, "We stopped spearing...You guys kept fishing....It's a horse apiece," followed by "There's plenty of walleyes there" which means we didn't take them all. There are two or three left.... And this guy is on the Voigt Task Force.

Continued...See Kentuck Lake Page 4

Kentuck Lake

...Continued From Page 3... What does that tell you about the credibility of the Voigt Task Force? Now that a Navajo Jim appointee is running the WDNR we can probably look for more of these smart aleck and insulting tactics from WDNR, GLIFWC and the Voigt Task Force.

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Issue Item

Betty & Tim were killed in an auto accident on the eve of their wedding. When they reached the pearly gates, St. Peter met them. They asked if they could still be married in Heaven.

St. Peter said: "Well, let me find out if this is possible. Stay here and I will be right back." After a short wait, St. Peter returned and said, "Yes, we can do this for you."

"Well, while waiting for your answer we were wondering, if things don't work out is there a possibility that we could be divorced?" To which St. Peter answered "You would have to wait a long time, finding a lawyer up here would be a tall order."

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Kerry Tries to Woo Gun

Voters

(Jon E. Dougherty, NewsMax.com)

Tuesday, Aug. 10, 2004...

"Television and print ads are filled with images of Democrat presidential nominee John Kerry as a gunslinger.

Whether it is a picture of him toting an M-16 assault rifle in Vietnam, or whether he's armed with a shotgun playing the avid hunter in Rural Somewhere, U.S.A., this is one Democrat who isn't afraid to lock and load. But what's all this gunplay about? Left-wing Democrats aren't known for their love of the Second Amendment to the U.S. Constitution. And although Kerry hasn't been the biggest foe of gun

rights, he hasn't been a friend either.

"At the Gunslick Trap Club in Wisconsin last month, the Massachusetts Democrat blew away 17 of 25 clay targets. On a recent flier put out by the Laborers' International Union, he's depicted as a 'lifelong hunter.' And in one of his own campaign commercials, he's pictured toting a shotgun," Washington Post columnist Jeffrey H. Birnbaum wrote.

The strategy is simple enough. If you're weak on an issue, champion it - or, at a minimum, at least look as if you're its champion.

"As a life-long hunter and fisherman, I am proud to be among the millions of American sportsmen and sportswomen who are dedicated to conserving fish and wildlife and passing along the American hunting and fishing heritage to the next generation," Kerry says on his campaign's Web site. "I think I do a better job of fighting for the rights of sportsmen than George Bush does."

But the nation's premier gun rights group, National Rifle Association, isn't fooled. And that's not good news for Kerry and his running mate, Sen. John Edwards of North Carolina.

In 2000, NRA got out the gun-rights vote against Al Gore and helped defeat him in such states as West Virginia, New Hampshire, Missouri, Arkansas and, most humiliatingly, Tennessee.

And its president, Wayne LaPierre, says this time around NRA is planning to be a bigger player. "We're going to be very active," he told the Post. LaPierre says the group will spend about \$20 million this election cycle. That's about the same amount of money as four years ago, but NRA's chief says much of the money this time around will go

toward targeted races and campaigns. Also, it will be supplemented by a vast network of volunteer activists.

"Over the past two years, the NRA has recruited its most energetic members and directed them to organize voters in more than 400 congressional districts nationwide," said Birnbaum.

LaPierre warns everyone not to be fooled by Kerry's gunslinger image. He says Kerry has consistently voted against gun rights over his decades on Capitol Hill, a point the NRA is making in newspaper, radio and television ads around the country. In one commercial that is already airing in toss-up states, La Pierre asks, "Senator, how can you talk out of both sides of your mouth and keep a straight face?"

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Another Good Deal in the Making by Our Shrewd Politicians.

(By Bob Manzke)

Recently, PARR became aware of Milwaukee County's plan to lease the most valuable piece of real estate in Milwaukee County, (the abandoned US Coast Guard Station) to the United Tribes of Wisconsin for \$1.

We consider this an outrage, seeing that the Indian Industry in Wisconsin is a \$1 billion a year industry.

It's bad enough that Wisconsin's Governor is hell bent on making less than 1% of the Population of Wisconsin, the proprietors of the state.

Consider this question: How long will it be before this culture center includes slot machines? After all slot machines are part of modern Indian culture. And after the slot machines a full-blown casino will follow. Just think, the most valuable piece of real estate in the county with a full-blown casino, and Milwaukee County will be getting a whole dollar a year for all this.

Continued...See Good Deal Page 5

Good Deal

...Continued from Page 4...

PARR Ed. Note: The above was sent to the Milwaukee County Board. The reply was the same sickening Sovereign Nation, Treaty Rights drivel. These politicians are either very stupid or on the take!

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HELL YEAH!

(By PARR Board Member Larry Parks)

Bet you stand up and say "HELL YEAH!" after you read this. I like big cars, big boats, big motorcycles, big houses and big campfires.

I believe the money I make belongs to me and my family, not some governmental stooge with a bad comb-over who wants to give it away to "crack" addicts for squirting out babies.

Guns do not make you a killer. I think killing makes you a killer. You can kill someone with a baseball bat or a car, but no one is trying to ban you from driving to the ball game.

I believe they are called the Boy Scouts for a reason, which is why there are no girls allowed. Girls belong in the Girl Scouts!

I think that if you feel homosexuality is wrong, it is not a phobia, it is an opinion. I don't think being a minority makes you a victim of anything except numbers.

The only things I can think of that are truly discriminatory are things like the United Negro College Fund, Jet Magazine, Black Entertainment Television, and Miss Black America. Try to have things like the United Caucasian College Fund, Cloud Magazine, White Entertainment Television, or Miss White America and see what happens. Jesse Jackson will be knocking down your door.

I have the right "NOT" to be tolerant of others because they are different, weird, or tick me off. When 70% of the people who

get arrested are black, in cities where 70% of the population is black, that is not racial profiling; it is the law of statistics.

I know what sex is, and there are not varying degrees of it. If I received sex from one of my subordinates in my office, it wouldn't be a private matter or my personal business. It would mean, "FIRED" immediately!

I believe that if you are selling me a milk shake, a pack of cigarettes, a newspaper or a hotel room, you must be able to explain it in English! As a matter of fact, if you want to be an American citizen you should have to speak English!

My father and grandfather should not have died in vain so you can leave the countries you were born in to come over and show disrespect to ours.

I think the police should have every right to shoot your sorry ass if you threaten them after they tell you to stop. If you can't understand the order "freeze" or "stop" in English, see the above lines.

I feel much safer letting a machine with no political affiliation recount votes when needed. I know what the definition of lying is.

I don't think just because you were not born in this country, you are qualified for any special loan programs, government sponsored bank loans or tax breaks, etc., so you can open a hotel, coffee shop, trinket store, or any other business.

We did not go to the aid of certain foreign countries and risk our lives in wars to defend their freedoms so that decades later they could come over here and tell us our constitution is a living document and open to their interpretations.

I don't hate the rich. I don't pity the poor. I know wrestling is fake, but so are movies and television, and that doesn't stop you

from watching them. I believe a self-righteous liberal or conservative with a cause can be sometimes more dangerous than a Hell's Angel with an attitude.

I think Bill Gates has every right to keep every penny he made and continue to make more. If it ticks you off, go and invent the next operating system that's better and put your name on the building. Ask your buddy that invented the Internet to help you.

It doesn't take a whole village to raise a child right, but it does take a parent to stand up to the kid and smack his/her little ass when necessary and say "NO".

I think tattoos and piercing are fine if you want them, but please don't pretend they are a political statement. And please stay home until that new lip ring heals, I don't want to look at your ugly infected mouth as you serve me French fries!

I am sick of "Political Correctness" and of all the suck ups that go along with it. I know a lot of black people, and not a single one of them was born in Africa, so how can they be "African Americans"? Besides, Africa is a continent. I don't go around saying I am a European-American because my great, great, great, great, great, great grandfather was from Europe. I am proud to be from America and nowhere else.

And if you don't like my point of view, tough! **Get over it!!!**
Wake up while you still have a country to wake up to.

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Piers!

(By Bob Manzke taken in part from articles printed in these online services "Lakeland Times" and "Vilas County News Review".)

Looks like Governor Navajo Jim Doyle's DNR is carrying his arrogance to a new level. It has gotten so bad that the Legislature's Joint Committee for **Continued...See Piers Page 6**

...Continued from Page 5...

the Review of Administrative Rules (JCRAR) hosted a hearing in Minocqua related to the DNR's rules on 2003 Wisconsin Act 118, (at one time dubbed the Job Creation Act).

The hearing was held Thursday, June 24, at 11 a.m. at the Minocqua Center located at 415 Menominee Street. Almost 500 people registered for the hearing, and many more tried to get into the building before giving up and leaving. Of those signing in, the tally was 413 opposed to the rules and 14 supporting them. As a result the joint legislative panel voted 6-0 to suspend until the end of the summer emergency rules.

"We'd want to hear from as many people as possible," said State Rep. Don Friske (R-Merrill). "We want input from riparian owners, local elected officials and local zoning officials; everybody who will be impacted by these new rules."

The representatives noted some specific concerns that they have and have heard regarding the new rules.

"I'm particularly concerned about the DNR's new pier rules," said State Representative Lorraine Seratti. The DNR's new pier rule, NR 326, **would put strict limits on the construction of new piers and make many existing piers illegal. Some of the following items would make a pier illegal: the pier is greater than six feet wide, it extends beyond the three-foot water depth level, it has a 'structure' such as a permanent bench or flagpole located at the end, there is a deck located at the end of the pier or any of about a dozen other new rules. It's questionable whether the new rules would allow resort and restaurant owners to continue to**

provide boat slips for their customers who access their businesses from navigable waters.

"This rule will dramatically increase the number of non-conforming piers in Wisconsin," stated Seratti. "Once a pier is deemed non-conforming, the DNR can force you to modify or remove it at any time. This will deprive property owners of the level of riparian access they're accustomed to, as well as harm many tourist dependant businesses."

The legislators also took issue with the DNR's expansion of certain statutory definitions.

"The Legislature said, in statute, that there are certain 'areas of special natural resource interest' that need extra protection," said Meyer. "The DNR is pushing for a definition that is so broad that 50 to 75 percent of the state's waters would be considered 'areas of special natural resource interest.' That's not at all what we intended."

"The new rules will also prohibit the use of riprap on most lakes, swim rafts over 200 square feet, boatlifts longer than 24 feet and the possession of more than three boats per 100 feet of riparian frontage.

"Citizens have many concerns about the new rules that the DNR is putting out," Seratti stated. "For too long this agency has run roughshod over the citizens of northern Wisconsin. I'm fond of saying that the JCRAR is the 'People's Court' of the State Legislature. It's about time the DNR listened to the voices of the people who matter most - the taxpayers of this state."

Those attending the hearing did not include any of the four Democratic members of the rules panel, a fact Assembly Majority Leader John Gard (R-Peshtigo) underscored during his testimony.

Forest County Zoning Administrator Pam LeBine summed up the feelings of most attending the hearing when she said northern Wisconsin was a beautiful place because of the people living in the region, not because of the DNR.

"We built this place, every dam, every culvert," she said. "We made this land look like it does today. Now it seems like we're being punished for our stewardship rather than applauded. But we should be applauded."

PARR Ed Note: Don't labor under the illusion that this is going away, come September, this is all going to rear back up like an angry Black Bear. I hope you readers located outside of the Lakeland area take heed. These new rules the DNR is attempting to enforce apply to all lakes in Wisconsin, from Lake Geneva and Pewaukee to Winnebago to all waters North, South, East and West.

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Warning:

(Taken in Part from an Article by Spivak & Bice that Appeared in the Milwaukee Journal Sentinel)

Attacking Attorney General Peg Lautenschlager could be hazardous to your law license. Just ask Madison attorney Mark Hazelbaker. "

"Hazelbaker fired off a three-page letter to Dane County District Attorney Brian Blanchard urging him to investigate Lautenschlager and top aide Dan Bach. Hazelbaker was upset that the top cop and her right-hand man had used their state cars for personal use without reimbursing the taxpayers. The Ethics Board said the two had to cough up a few hundred bucks as reimbursement.

"In the politically charged atmosphere coming after Lautenschlager's February conviction or driving a state car while
Continued...See Warning Page 7

Warning ...Continued from Page 6...

drunk, Hazelbaker's demand was seen as pretty ho-hum by most of the media. Only a couple of Web sites catering to political junkies picked it up. Still, the letter was definitely noticed at Lautenschlager's shop.

"Four days after Hazelbaker wrote it, Bach returned the favor, sending a letter to the agency that polices lawyers urging it to go after Hazelbaker. Giving the demand the air of authority, Bach wrote the two-page letter on Department of Justice stationery.

"Atty. Hazelbaker has made several serious allegations of criminal misconduct without any factual basis for his claims,' Bach wrote on April 6. 'His assertions are injurious to the integrity of the individuals he has attacked, as well as to the legal profession as a whole."

Whew! Those guys at DOJ sure play hardball. Bach was tight-lipped Thursday about why he used his position as Lautenschlager's deputy to urge the Supreme Court to slap Hazelbaker. "I'm not going to comment on that matter,' Bach said. 'It was an ethics issue, and Mr. Hazelbaker is an attorney.'

We peppered Bach with questions about whether this was a heavy-handed move, but he wouldn't budge. 'I did what I thought was appropriate under the circumstances,' he said. 'It was an ethics issue.' As things turned out, the state Office of Lawyer Regulation opted not to disbar, suspend or even yell at Hazelbaker. He wasn't even asked to offer his side of the story before the complaint was tossed on the pile of allegations not worth wasting time on. "There is insufficient evidence that public statements made by Atty. Hazelbaker regarding alleged misconduct in office are unethical," in

vestigator Cathe Hahn wrote in a confidential letter to Bach.

"Hazelbaker, a Republican, said he was shocked that the Democratic attorney general's henchman would come at him so hard. 'They need to be more thick-skinned and more respectful of people,' Hazelbaker said. 'The best way to avoid being investigated is to not pull this crap in the future.'"

So what's his best guess as to why they tried to kneecap him? It's obvious what went on here: Dan Bach and Peg Lautenschlager thought, "This little pipsqueak - who the hell does he think he is?" Hazelbaker said. "They decided to smoke one in there high and inside."

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Issue Item

For several days presidential hopeful John Kerry was wooing several Indian Tribes in the Western part of the country. The following blurb addressing Kerry's wooing appeared on the internet. Could be that this one is factious, but interesting.

During a campaign tour of the Apache Nation Wednesday, Democratic presidential candidate John Kerry said he had a plan to increase every Native American's income by \$40,000 a year.

Senator Kerry refused repeated requests for details of his plan, however. He also told the Apaches that during his Senate career, he has voted YES 9,637 times for every Indian issue ever introduced.

Before his departure, the Apache Tribe presented the Presidential candidate a plaque inscribed with his new Indian name, Running Eagle.

After Kerry left, tribal officials explained that Running Eagle is a bird so full of it that it can't fly.

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PARR Editor Comment

PARR is closely associated with a publication called "Reservation Report" which is a Monthly Media Letter produced by long-time reporter, editor and publisher John Fulton Lewis. It deals with American Indian policies. These articles contain very interesting and informative information. Following, are several articles, printed in their entirety, from the August 2004 Reservation Report.

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INDIAN TRIBAL "SOVEREIGNTY"

Is it on a collision course with U.S. realities? (Taken from the August Reservations Report) The Associated Press reported that U.S. Federal District Judge Robert E. Coyle says he will hear the appeal of two Tachi-Yokut tribal women who claim they were banished in 2000 and denied their rights under the Indian Civil Rights Act (ICRA).

In California, where the tribe is located, the 100 federally sanctioned tribes have no tribal courts and their tribal councils and committees have dictatorial authority in decision making, from which there is no avenue for appeal. At this point in 2004, AP reports: "there are 1,160 people fighting to belong to 14 tribes in the state." Tribal leaders simply respond that it is their "sovereign" right to determine their membership and who may stay or must leave. ICRA doesn't dispute this but supports due process for the aggrieved.

Judge Coyle will now hear how Roselind Quair, a lifelong member of Tachi-Yokut, was kicked out of the tribe when she sought the advice of a lawyer on possibly filing a lawsuit, after being sexually assaulted by another tribal member. He will also hear the account of Charlotte Berna, elected tribal treasurer in 1999, who was

Continued... See Sovereignty Page 8

Sovereignty ...Continued from Page 7...

banned after calling on tribal leaders to supply an independent analysis of revenue derived from their casino. Both women believed the provisions of the Indian Civil Rights Act should have protected them against the tribe's summary harsh treatment. Their attorney, Patrick Romero Guillory, asserts "there are people on Indian reservations" who are "afraid of their leaders because their power is unchecked." Reservation Report has been advised over the past three years of many instances where fear rules reservation life even in tribes where tribal courts are part of the structure. The few Indian-owned and published newspapers with courageous editors frequently report on or editorialize about cases of tribal leadership abuse of reservation members who then feel they have no recourse to the constitutional protections and justice system of the U.S.A. even though all American Indians are U.S. citizens.

Like the recent decision of the National Labor Relations Board (NLRB) to examine and settle a dispute involving two unions and the San Manuel Indian Bingo and Casino in San Bernardino County, California, the entry of federal authority in a tribe's dealings with non-Indian or Indian tribal members, provides a serious challenge to Indian "sovereign immunity" claims.

There have been a mounting series of court tests questioning the validity of Indian "sovereignty" claims. Numerous observations and opinions from state and federal courts all the way to the Justices on the U.S. Supreme Court indicate escalating irritation with what many see as the "sovereignty myth," as applied to Indian tribes and reservations. The entire history of Federal Indian Policies (FIP) and the legal

interpretations that have swirled around those policies since the founding of the Republic, have led jurists such as Justice Clarence Thomas to describe FIP and the maze of court decisions on "sovereignty" for Indians as schizophrenic at best.

It seems clear that the issue of "sovereign claims" by America's Indian tribes is on a possible collision course with the actual meaning and extent of "sovereignty" under the Constitution and laws of the United States and the people and states therein.

PARR Ed Note: Did you notice the phrase "Sovereignty Myth" in this article? How many times have you seen reference to "Tribal Sovereignty Myth" in many past ARGU articles? PARR is excited to see that many more are recognizing that Tribal Sovereignty is exactly what PARR knew it to be years ago, "***A Myth.***"

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ANCIENT INDIAN HISTORY CHALLENGED BY NEW TESTS

Yet anew, the southeastern United States terrain is threatening anthropological-archaeological time theories' and "infinite wisdom" on when human beings arrived in North America. The latest development is from the Topper Site in Allendale County, South Carolina, near the Savannah River.

Al Goodyear, the Topper Project's lead researcher for 20 years for the University of South Carolina's Institute of Archaeology and Anthropology, has discovered some charcoal-like, possibly hearth-residue, soil beneath where artifacts have been previously turned up and the strip of soil may date to 25,000 years ago.

That's nearly twice as long ago as the conventional wisdom dating by those who cling to the increasingly uncertain Bering

Straits "Ice Age" crossing of 13,000 years back.

The Topper Site was first reported in 1983 and artifacts turned up then indicated the same Clovis Indian culture that has long been the foundation core for archaeologists who think humans first arrived in the Western Hemisphere from North China or Mongolia via island hopping over the rim of some-time, land bridge, stepping stones between Alaska But the myopic obsession of some scientists with the Bering crossing theory has been jettisoned by many subsequent findings in recent years that show Ice Age mammoth-chasing migrations for long distances over almost impossible ice sheets in Canada and Alaska simply do not make a lot of sense for either the mammoths or human beings.

In 1998, Goodyear's team at Topper turned up the tip of a spear and some blade fragments a yard deeper than the Clovis evidence that was uncovered some years before.

That new find then pushed the dating of the Carolina site back to 17,000 years. Now, six feet further down in the soil of the "dig" the apparent charcoal and hints of more artifacts, if carbon dating can be confirmed between now and mid-September, may add another 8,000 years to the age in which some humans camped and cooked their meals or kept warm beside a fire near the banks of the southern river.

PARR Ed Note: Does this mean that "Indians" are no more "Native Americans" than the European immigrants were?

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INDIAN SUPPORT FOR DEMOCRATS STRESSES "SWING VOTE" POWER

Some 200 delegates and colleagues, claiming Native
Continued...See Swing Vote Page 9

Swing Vote

...Continued from Page 8...

American Indian credentials, joined the throng attending the Democratic National Convention the end of July. Tribal leaders committed to a hefty expenditure to win some significant recognition from Democratic Party leaders.

Their prime objectives: unequivocal Party Platform endorsement of the Indian campaign for formal U.S. acceptance of Indian "sovereign status" claims; Party support for legislation to advance those claims to full legal enactment that would give each tribe (there are more than 560 of them) reservation equivalence to full U.S. statehood; and, appointment of nine (they now have four) Indians as members of the Party's National Committee.

The Indian turnout hailed the Party's ticket of Senators John Kerry and John Edwards for the White House. But "Indian Country Today" Associate Editor Jim Adams, in his Internet roundup of Indian attendance and activities at the Boston convention made no mention of any personal meeting with or attention from either Senator Kerry or Senator Edwards.

Defeated Democratic Primary candidate Howard Dean and Governor Brad Henry of Oklahoma did attend an Indian caucus on the third day of the convention to thank Indians for their support and Democrat planners did give the Tohono O'odham Indian singers an entertainment spot on the televised program. But Adams indicated the only real gains made by Indians attending were scored in social

networking at the numerous non-convention hall parties such as a Boston clambake and Arizona Governor Janet Napolitano's "glitzy tribute to...Native American communities," on July 27. Stewart Paisano, Sandia Pueblo governor, was granted three minutes to open the July 28 afternoon session and used the occasion to urge Party recognition of tribal sovereignty an issue which seems to have been blurred, and shunted off to a third from the last Platform paragraph.

Democrats barely acknowledged support for "sovereignty" after what Adams described as a national; grassroots property rights group e-mailed some opposition to the Indian proposal. Adams indicated that tribal representatives spent most of their time trying to persuade Party functionaries and some friendly Members of the U.S. Congress that "get-out-the-vote" campaigns on Indian reservations were a top priority in this election year and that Party leaders should eagerly support the effort.

With a "spin" worthy of a 1950's Madison Avenue ad man trying to breathe life into a failing soap campaign, an exultant Adams concluded: **"Years of talk and planning to make American Indians a factor in national U.S. politics had suddenly taken shape in the flesh, and it was an impressive sight. In a drama-free convention that was**

mainly a four-day infomercial, the emerging Indian power, and the swirl of tensions around it, provided what could well turn out to be the most historically significant subplot in the nomination of the Democratic Presidential ticket." There was little evidence that the Democrats yet see Indians as serious contributors to a "swing vote."

PARR Ed Note: In all probability you've read the previous in the mainstream media. However, we urge you to consider the highlighted portions.

The winner of this year's drawing for the print "Shanty Town" was Francis (Mick) Charnley of Grand Rapids MN...Enjoy Mick!

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