



AMERICAN RIGHTS GUARDIAN UPDATE

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

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The United States Supreme Court loathes tribal sovereign immunity, to the point that they have told Congress and other courts to get rid of it. Gaming tribes, thanks to their campaign contributions, would appear to have bought themselves politicians from the local level up to state and national levels. Many of these "public officials" would gladly hock their front seat in hell to stay in power, so rest assured they are not about to bite the hands that are feeding their campaign coffers.

Fortunately, some courageous federal and state courts have gotten the message, and are reviewing documents and laws with microscopes, looking for accidental waivers.

When bingo games and then casinos came to reservations, so did everything else connected with legal gaming, including contracts for constructing buildings and managing operations, labor and supplier disputes, and hundreds of thousands of visitors. Sadly, "sovereign immunity" was used, by the tribes to avoid paying contractors, etc. for materials and work performed.

During the 19th century Indians in North America were, according to Dr. James Clifton a renowned anthropologist, "disorganized roving bands of nomads." Amazing, is probably the proper word to use to describe how bleeding heart politicians managed to change roving bands of nomads into "Sovereign Nations."

The United States Supreme Court has indicated antagonism toward tribal claims of sovereign immunity. It has declared that tribes, unlike foreign nations, cannot be sued for purely commercial activities. But this declaration seems to many observers to have been designed to tell Congress to abolish the sovereign immunity doctrine. The high court has also sent a message to lower courts that they should find ways to declare that Congress and/or the tribes themselves have waived tribal immunity. To make sure other courts got the message, the nation's highest Court declared that mistakes count: If a tribe signs a contract incorporating a state's laws or the rules of the American Arbitration Association, the court should find that the tribe has "clearly" waived its immunity—even if that was not the intent of the tribe's lawyers.

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Tribal Sovereignty Myth

By John A Fleming

Most, if not all, of the Indian tribes in our country claim to possess tribal sovereignty. This is both untrue and not possible under our U.S. Constitution and the constitutions of the several States.

Today, and indeed since the Indian Citizenship Act of June 2, 1924, which gave the then non-citizen Indians (mostly tribal members) citizenship by birth, all American Indians are citizens of the United States of America and of the state that they individually lived in. They each, as well as all other citizens of the United States, possess the attribute of sovereignty that is given to each citizen of our country by the Constitution of the United States.

Sovereignty in our nation belongs to the citizens. It does not rest in the state capitals, or in the federal government at our national capital, Washington D.C.

Our sovereignty is not vested in a king, a dictator, a president, nor in other elected positions in the various states or federal government, and indeed---not in tribes. In short, when our thirteen colonies/states came together and decided to unite, they declared and established a number of principles and rules to include the following:

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* Sovereignty will rest with the citizens.

* The majority rules.

* Through the Articles of Confederation and then the Constitution, they needed and established a national government to do limited national activities with enumerated powers only.

* Through these Articles and then the Constitution, they assured the rights of the sovereign and independent states, the freedom, liberty and certain other individual, citizen rights, and placed fixed limitations upon the federal government.

* They established a method to change the Constitution.

Indians and their tribes were not only considered but they were mentioned in the primary documents that established our nation. The tribes were not given a place in our federal system of government. The Tenth Amendment of our Constitution specifically provides guidance on this matter and tribes are not included in the distribution of power to govern. **(Read it! Perhaps everyone should reacquaint themselves with these documents.)**

The Declaration of Independence gives a good idea of how our forefather thought of the Indians at that time in our history. Treaty after treaty stipulated that the tribes were to obey the Constitution and the Acts of Congress. Supreme Court cases abound with the clear facts that the tribes were no longer sovereign but bound to the Constitutional requirements and the will of Congress. Battle after battle defeated the Indian tribes resulting in the tribes being conquered, subjugated and actually subordinated to the will of this nation.

Here is another myth---the Indian industry (movement) has

for decades been trying very hard to make American citizens feel guilty for what "they" did to "them". It doesn't take a brain surgeon to figure out that the pillage, rape, theft, cheating, stealing of property, fighting, killing and hurting of people, that affected Indians and their tribes, also affected the American citizens and other immigrants that moved to the West or lived in the West---ranchers, farmers, Mexican property owners and or residents of the Southwest, just to mention a few categories. People of all colors, races, and religions, NOT JUST INDIANS, were affected by the lawlessness, wild and uncontrolled criminal activity during this time in our history. The causes were equally as clear. Both levels of Constitutional government (states/territorial to include local and federal) were small, very limited and unprepared for such a massive and rapidly moving force as the migration of peoples to the west. The damage being created by the continuing of this myth, the guilt complex placed upon "whites" by disinformation stemming from the Indian industry, is growing and may well damage many of the good things that industry has accomplished.

Tribal sovereignty is a myth. American citizens of all racial backgrounds and differing political and religious beliefs possess the rightful claim of sovereignty.

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This is Sovereignty?

By Greg Graunke

Folks, back in the 1980s it was PARR's understanding that an agreement was reached prohibiting tribal wardens from enforcing game laws off-reservation.

Does tribal sovereignty mean that any tribal agreement is worthless? It certainly appears that way, because it has come to

PARR's attention that tribal wardens are being trained to enforce Wisconsin's fish and game laws off-reservation.

In an attempt to get a better understanding of what's going on I mailed the following letter to WDNR Secretary Hassett.

Dear, *Secretary Hassett*, "It has come to the attention of PARR that Tribal wardens are now, being trained to enforce the state, fish and game laws! Our understanding was that the agreements reached in the mid 80's prohibited that. The tribal wardens do not even live in the same country (they are separate sovereign nations you know!) As the rest of the states citizens. Furthermore, their government has openly stated they don't have to follow the state's laws as they are a sovereign nation. Your position on this would be appreciated, allowing us to forward it to our membership. Equally Yours, Greg Graunke Chair PARR

PARR Ed Note: Yea you guessed it. As of press time! **No Answer!**

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The Possible Demise of Tribal Sovereignty

By Victor Bellomy

It has always been true that tribes could willingly waive their sovereign immunity by signing agreements that included "limited waiver" language that spelled this out in clear English. But many unsuspecting business folks sign contracts with tribes that do not include that waiver language. So this is a huge victory for "our side" since it was the 9th Circuit (usually a very pro-tribal court) that held in Krystal Energy that Congress has actually legislated abrogation of tribal sovereign immunity!! In their ruling, the unanimous panel of judges held that when Congress passed the bankruptcy code saying sovereign immunity was

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{Demise Continued from Page 2}

abrogated for all "foreign and domestic governments" they had to have meant to include tribes, too, since tribes are domestic governments.

This is contrary to a long string of court precedents in which courts have created tribal sovereign immunity and also contrary to the usual behavior by judges to construe legal language in a manner most beneficial to tribes, rather than ruling on what language actually says!!

Our friend, California attorney Jim Marino, believes that this ruling will eventually lead to sovereign immunity for tribes being abrogated everywhere else in the federal code where Congress took it away from BOTH foreign and domestic governments for almost every purpose! We knew that common sense, justice, and reason had to prevail eventually! These judges see too many cases where innocent people are being wronged by tribes.

PARR Ed Note: That just goes to show you: you keep telling the same lie long enough, and it probably will jump up and bite you.

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Have you ever noticed that everybody who is for abortion has already been born?"

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Taxem Jim

By Bob Manzke

Wisconsin's governor "Navajo" Jim Doyle never saw a tax he didn't like.

This is the guy who vetoed the property tax freeze: result my property tax increased so much I can't tell where the existing tax left off and the increase begins. This guy is so fond of the taxing power that he is breaking federal law collecting taxes. That's right! The congress passed a law, which

prohibits the taxing of Internet servers, yet the State of Wisconsin continues to collect these taxes. Reason: Wisconsin was collecting these taxes before the federal law was passed. Comment by Doyle flunkey: "Jobs in Wisconsin are growing faster than the states surrounding us; therefore this tax is not prohibitive." We say: It's in violation of federal law; therefore the State and its Governor are illegally stealing money from the citizens of Wisconsin.

Consequently, when I received the following, mailed by an anonymous donor, I just had to share it with you. I have no knowledge of the source or the author, however, the sentiment that follows parallels mine, and after you read it, I think you will agree...

"Whenever I hear the word tax I start to cringe. The old saying, "the only things sure in life are death and taxes," has always been true and I see no way it will ever change. "Given the fact that we are going to pay our state tax and it will go into the general fund which, in turn, will be spent on everyone in the state, we are left with the idea that we all pay and we all receive a share or some type of benefit in return. "A couple of cases in point, some families have no children in school but they pay a portion of their tax to help the school systems all over the state. Some of your tax money might go to build a road that you will never drive on but the idea is it benefits everyone. "What if you could choose where your money would be spent and not let everyone benefit but just the people around you. Let's say you could designate your portion of the road tax to building a new street in your neighborhood and then you could deduct that amount from your state tax bill. "No one I know of likes to pay taxes, but if you had to, wouldn't

you prefer to decide where the money would go? For a very small portion of this State's residents, that is how it works. They can direct part of their tax bill to what they decide, for their neighboring governments for everything from police work to road repairs for example. "This in no way cuts back on their share of what the state will spend from the general budget; that the rest of us have to pay into, that is spent in their area. Starting in 2008 that is exactly how some of the Indian bands will be able to operate. The bands can give out grants from the money they have to pay the state from their gambling operations. Given the fact that I will have to pay my tax anyway wouldn't it be nice to be able to say how I want it spent."

PARR Ed Note: Please remember folks this Governor of ours is the guy that vetoed the concealed carry law, school choice and property tax freeze. Yet the State Coffers are wide open for the, schools, school teachers and last but not least the Indian Tribes, and anyone else that contributed to his election. Remember all this in 2006 when he is up for re-election.

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People Over 35 Should be Dead.

Here's why According to today's regulators and bureaucrats, those of us who were kids in the 40's, 50's, 60's, or even maybe the early 70's probably shouldn't have survived.

Our baby cribs were covered with bright colored lead-based paint.

We had no child-proof lids on medicine bottles, doors or cabinets. And when we rode our bikes, we had no helmets. (Not to mention the risks we took hitchhiking.)

As children, we would ride in

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cars with no seatbelts or air bags.

Riding in the back of a pickup truck on a warm day was always a special treat. We drank water from the garden hose and not from a bottle. **Horrors!**

We ate cupcakes, bread and butter, and drank soda pop with sugar in it, but we were never overweight because we were always outside playing

We shared one soft drink with four friends, from one bottle, and no one actually died from this. We would spend hours building our go-carts out of scraps and then ride down the hill, only to find out we forgot the brakes. After running into the bushes a few times, we learned to solve the problem.

We would leave home in the morning and play all day, as long as we were back when the streetlights came on. No one was able to reach us all day. NO CELL PHONES!!!! **Unthinkable!**

We did not have PlayStations, Nintendo 64, X-Boxes, no video games at all, no 99 channels on cable, video-tape movies, surround sound, personal cell phones, personal computers, or Internet chat rooms. We had friends! We went outside and found them. We played dodge ball, and sometimes, the ball would really hurt.

We fell out of trees, got cut and broke bones and teeth, and there were no lawsuits from these accidents. They were accidents. No one was to blame but us. Remember accidents?

We had fights and punched each other and got black and blue and learned to get over it.

We made up games with sticks and tennis balls and ate worms, and although we were told it would happen, we did not put out very many eyes, nor did the worms live inside us forever.

We rode bikes or walked to a

friend's home and knocked on the door, or rang the bell or just walked in and talked to them.

Little League had tryouts and not everyone made the team. Those who didn't had to learn to deal with disappointment.

Some students weren't as smart as others, so they failed a grade and were held back to repeat the same grade. **Horrors!**

Tests were not adjusted for any reason. Our actions were our own. Consequences were expected.

The idea of a parent bailing us out if we broke a law was unheard of. They actually sided with the law. **Imagine that!**

This generation has produced some of the best risk-takers and problem solvers and inventors, ever. The past 50 years have been an explosion of innovation and new ideas.

We had freedom, failure, success, and responsibility, and we learned how to deal with it all. And you're one of them! **Congratulations!**

Please pass this on to others who have had the luck to grow up as kids, before lawyers and government regulated our lives, for our own good !!!!!

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DAMN The "Mexican" Torpedoes, Full Speed Ahead

By Bob Manzke

Folks lets investigate the next chapter in the fascinating undertakings of the Lac du Flambeau navy. According to a Cary Spivak & Dan Bice article in the Milwaukee Journal/ Sentinel, one of the tribe's partners, a Chicago area criminal lawyer represents the aristocracy of the underworld.

The tribe has \$2 million invested in the 155-foot boat. The boat has 225 slot machines, 13 blackjack tables, a craps table, a other games.

The tribe now operates the Lake of the Torches casino, which has about a dozen blackjack tables and 900 slots.

They say the key to getting a casino license is to be as pure as the driven snow. All of which makes the identity of an investor in the Lac du Flambeau casino boat venture particularly interesting. The investor: Alexander Salerno, a lawyer whose client roster is said to include some of Chicago-land's top mobsters.

In a hastily called tribal meeting last week, tribal Chairwoman Victoria Doud laid out some details of the Lac du Flambeaus' interest in a 155-foot casino boat that tribal members apparently hope will set sail soon off of Cancun, Mexico.

Tribal leaders have divulged little about the risky project that has already cost the tribe about \$2 million. During the Saturday session, Doud told a couple of dozen tribal members that the Vilas County Chippewa tribe owns 30% of the company that hopes to manage the casino boat, dubbed the Dream Catcher.

In her six-page "State of the Tribe" speech, Doud said that in addition to the \$2 million invested in the boat, the tribe has received a \$1.2 million line of credit. "This money would cover the bankroll and any other last-minute repairs and unforeseen needs," Doud said. Makes one wonder if the people who extended the \$1.2 million line of credit ever heard of "Sovereign Immunity."

In her speech, Doud said the tribe teamed up with the Chicanos to help navigate the choppy waters of international gaming. "These people were bringing to the table their relationship with the foreign government and their ability to get the required certifications and agreements," she said.

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However, as we explained in the last newsletter, assuming that the Mexican Government is going to share the proceeds of their tourism goldmine-Cancun--could be influenced by an overdose of peyote.

One final observation a 155-foot boat isn't very big. Any kind of sea running will bounce this thing around like a cork. Sure a seasoned salt can handle this, but one can't do much gambling while up-chucking over the rail.

Even without this background on Salerno, many in the tribe are opposed to the casino boat proposal. One tribal member said almost everyone who heard Doud's speech opposed pouring more money into the deal. "They were all opposed to it," he said. "But the council members were all gung-ho for it. They think it's going to be our golden goose."

Later, she said, "The tribe is anticipating receiving its original investment back, and any dollars used of the line of credit, after the first year of operations. For the second year, and each year thereafter, the tribe is anticipating a minimum of \$3 million per year." ***She was mum on how much the Chicago partners would take home.***

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The Foundation for a Mega Casino

By Bob Manzke

Under terms of a 30-year lease with Milwaukee County, an American Indian group will restore the 1916 U.S. Coast Guard Station for use as an education and cultural center. The group, HONOR, has two years to raise the \$3.5 million needed for the project and another two years to complete the restoration of what is to be known as the Loons Foot Honor Center for the Study of

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Wisconsin Indian History and Culture. The group is to pay the county \$1 a year for use of the site. Along with this fee, the group has to provide public bathrooms open to users of adjacent parkland.

Jim DeNomie, is a vice president of HONOR, which stands for Honor Our Neighbors' Origins and Rights. DeNomie, a marketing consultant and member of the Bad River band of Chippewa, said the group had raised \$350,000 from the Spirit Foundation, a non-profit run by musician Peter Buffett and his family.

The group also was expecting to get \$150,000 worth of timber products donated by the Menomonee tribe in northern Wisconsin, he said. The rest, he said, would come from other tribal contributions, corporations and foundations.

The group also hopes to raise another \$6.5 million for an endowment. "Time is of the essence" said County Parks Director Sue Black who added that she was happy that the building would finally be restored and used as an educational tool by state Indian tribes, which have long ties to Milwaukee waterways. ***"There's a natural synergy there," she said, noting that the project was also in sync with a state law that requires public schools to include education about Wisconsin Indian history and culture.***

The county was required to preserve the long-vacant life-saving station under a 1987 agreement in which the federal government turned the property over to the county. The county then sent out a request for proposals to develop the 10,000-square-foot building, which was the site of an

American Indian Movement takeover in 1971 and later became the first Indian Community School in Milwaukee. But HONOR's winning plans were

questioned by some county supervisors and park land advocates, who feared the project might someday be expanded and chew up scarce, open space on the lakefront. The terms of HONOR's lease specify that the building must remain within its current footprint. Parking, another touchy issue, would be limited to available spaces at nearby McKinley Marina. DeNomie said many of the visitors likely will be students arriving by school buses.

PARR Ed. Note: Most of you probably remember HONOR from the boat landing demonstrations days. And of course who can forget the charm that AIM brought to the boat landings. If I remember correctly, the chant of the demonstrators at the boat landings changed from "Hi how are ya" to "How high are ya" when the Honor people arrived to bear witness to the racism.

We probably will never find out how many tax-payer dollars went into this undertaking. When it comes to paying debts, one can't help but wonder if HONOR has "Sovereign Immunity?"

Now I understand why there is so much opposition to berthing the Cruiser USS Des Moines at the Lake Front War Memorial. The Cruiser may block the Indian's view of the lake. And for a buck a year they are entitled to a clear view of the lake. Go back and re-read the hi-lighted paragraph. How many of you knew that?

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Equal Access to Resources Gets low Priority

By Kurt Krueger Editor of the Vilas County News Review

You might be among those anglers who are frustrated by the Kentuck Lake walleye situation, where biology shows there're

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plenty of walleyes to support an angling harvest in 2005, but government red tape will prevent that from happening.

One side of me says there should be exceptions to the time frame on regulation changes - which would give the Department of Natural Resources (DNR) the authority to act on behalf of sport anglers for simple reasons such as allocation equity, i.e., fairness.

But the other side says there are darn good reasons that the system was purposely designed to be slow and meticulous. Many would argue that regulations dealing with the long-term management and health of fish resources are too important for "quick fixes."

We live in a world of computers, e-mail, and Internet talk-backs. You'd think that a month or two after biologists learned that there were more than 17,000 adult walleyes in Kentuck Lake, that a draft regulation change could have been readied for public hearing.

Some people accuse the DNR of working in only one gear - slow. But it's not entirely the agency's fault, because this slow process evolved as more and more people became interested in having a say in how fishing and hunting are regulated.

First, local fish biologists have to meet with various user groups, including lake associations and the tribes, before pushing a proposal through the DNR's chain of command and down to Madison. There's the Conservation Congress, the voice of state sportspeople, and then the spring fish and game hearings. Lastly, legislators have demanded a final kick at the cat, so to speak.

There's also a large contingent of people who will defend the decision not to give the DNR more power to rush changes through,

because many don't trust the agency's discretion and use of authority. Someone is probably going to ask, "So what's the big deal over not being able to fish one walleye lake (with normal bag limits) for another year?" I'll bet even some DNR officials don't see this as a priority issue, not when there are thousands of lakes here.

But we're not talking about just any walleye lake here, and this isn't just another routine proposal to change a fishing regulation.

This is a 957-acre lake that contains one of the highest densities of adult walleyes in the state. It is a very popular lake that has been fished by thousands of different anglers in recent decades.

What makes it a very big deal, to this scribbler, is the unprecedented controversy between the tribal right to harvest and the DNR's management authority. There's no biological emergency here, and no cause for an emergency rule.

But this is one social issue where I'd give the DNR the authority to step in, quickly, to provide anglers with equal access to the fish resources.

In my view, sport anglers have witnessed enough unfairness on the treaty rights issue without having to sit idle and watch the Mole Lake Band have sole access to thousands of walleyes.

Steve Gilbert, the DNR's fish manager for Vilas County, said it's not just a matter of proposing to re-open Kentuck Lake to traditional angler harvest. He said it takes time to select an appropriate regulation scheme for walleyes, and to look at the future management of all species and whether any other changes are needed.

I disagree. It is weather patterns, the success of natural reproduction and virtually uncon-

trollable interaction between competing fish species that really dictates where most lakes are headed. With all due respect, the DNR's management and the regulations they suggest have little to do with it.

Gilbert doesn't have a lot of choices on walleye. He says the "one over 14" regulation and a five-walleye bag limit would be better than a slot limit or a 15-inch minimum size limit. No arguments there.

But as for other regulation schemes, they are incidental. Nothing should have prevented the DNR from acting quickly, on behalf of sport anglers, to allow more of a harvest in 2005.

As an example, Gilbert hopes to somehow protect Kentuck's bass fishery from the onslaught of walleyes. Fine. If he wants to study and propose other regulation changes, such as imposing an 18-inch minimum size limit on bass, then he can float that idea.

But it can wait. In fact, for the sake of the bass fishery, the DNR should have expedited angler exploitation of walleyes for 2005. The exploding walleye population is the biggest threat to bass, not anglers.

In all fairness, Gilbert went to bat for sport anglers, trying to get an emergency rule to change the Kentuck Lake walleye regulations for 2005. He was shot down by people in those ivory towers in Madison, where they sometimes forget a "ceded territory" exists.

This is not the first time, I might add, that anglers have been frustrated by the two-year process for changing fishing regulations.

I remember when the walleye population was suddenly booming on Thunder Lake in Three Lakes almost a decade ago, all because property owners had spent thousands of dollars to

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stock the lake. A lot of people wanted some limited but immediate protection for that renewed fishery, where they were hoping to re-establish natural reproduction, but the DNR's actions to reduce the bag limit were too little, too late.

And the two-year process is sometimes the best news, considering that the DNR may take a decade or more to determine a change is needed in the fishing regulations.

Anglers on the Eagle River and Three Lakes chains were told a decade ago that the 14- to 18-inch walleye slot limit would be in place for five years before it could be analyzed and potentially changed.

But right now, the chains aren't even on the long-range schedule for population assessment, so it could be another decade before anything gets analyzed. Suddenly, two years doesn't sound so bad.

In the end, every angler will judge for themselves how the DNR handled the Kentucky Lake controversy. It's obvious that they don't have an easy job, being tugged in a lot of different directions. Gilbert said it was his intent, and I truly believe it, that spearers and anglers would have an equal shot at the Kentucky walleye fishery when it recovered. Unfortunately, the bigwigs never got an agreement signed that put the DNR and the tribes on the same page, and the plan fell apart.

It is a sad state of affairs that sport anglers aren't afforded some protection here - that the agency with sole management responsibility doesn't have the authority to allow an angler harvest even though it would be biologically prudent.

We're talking fairness here - equal access to resources. For sport anglers, few subjects are

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more important.

PARR Ed Note: PARR's most sincere thanks to Kurt Krueger for allowing us to reprint this article.

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Federal Charter for six Minnesota Chippewa Tribes Revoked

From the February Issue of Reservation Report

An egregious example of the extent to which Native American Indian tribal corruption and often dysfunctional Bureau of Indian Affairs oversight can threaten the very existence of tribes and their reservations was spotlighted January 21st by some remarkable investigative reporting in Minnesota.

Thanks to outstanding searching and researching, over several years, by a former Press/On associate of Ojibwe News publisher-editor Bill Lawrence, a criminally underhanded revocation of the 1937 charter for the tribes has been discovered. The tribal bands covered by the charter, under the Minnesota Chippewa listing, were the White Earth, Leech Lake, Fond du Lac, Bois Fort, Grand Portage and Mille Lac Reservations. Over 30 percent of the members of those tribes had voted, by more than two-to-one, for the charter nearly 70 years ago. But, in February, 1996, the U.S. Congress revoked the charter under a Section 13 provision for Technical Corrections to Laws Relating to Native Americans.

The Congressional action was explained, as follows: "The request of the Minnesota Chippewa Tribe to surrender the charter of incorporation issued to that tribe on September 17, 1937, pursuant to Section 17 of the Act of June 18, 1934, commonly known as the 'Indian Reorganization Act' (48 Stat. 988, chapter 576; 25 U.S.C. 477) is hereby accepted

and that charter of incorporation is hereby revoked." The Ojibwe News then found that the Tribal Executive Committee (TEC) submitted a resolution requesting the revocation on May 19, 1995, coincident with "major investigations into wrong-doing" then being "conducted at both Leech Lake and White Earth reservations by the federal government."

The newspaper reported: On April 12, 1995, Leech Lake Tribal Council member and President of the Minnesota Indian Gaming Association, Myron Ellis, began serving a 90-day sentence in the federal prison at Leavenworth, KS, for mishandling of tribal funds. Ellis admitted guilt in having received a \$13,345 kick-back from State Senator Harold "Skip" Finn who was also a member of the band and Leech Lake's attorney.

On June 7, Chairman Tig Pemberton of the Leech Lake Business Office (LLBO), a kind of euphemism for tribal management, Senator Finn and LLBO Secretary Treasurer Dan Brown were charged in a 26-count federal felony indictment, and subsequently convicted and sentenced to prison terms, for conspiracy, mail fraud, theft, money laundering and impeding a grand jury investigation. Under investigation at the time the charter revocation was requested, and later charged, in August 1995, then convicted and sentenced to prison, were White Earth tribe officials: Darrell "Chip" Wadena, chairman, Jerry Rawley, Secretary-Treasurer, and Rick Clark, Tribal Councillor. They were prominent among the chief objects of a 44-count indictment for, among other charges, conspiracy, theft, bribery, embezzlement and money laundering. Clark was also charged with election fraud. Editor Lawrence, noting that "these individuals were

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convicted of stealing from their own tribes" wrote that "I believe they instigated the revocation of the charter so that they could take tribal funds to use for payment of their legal fees."

Then, he added: "The document (Charter) referenced the MCT (Minnesota Chippewa Tribe) and the U.S. Constitution many times...and contains the sole governing powers of the MCT. It's important for the people to see the Charter. It is an essential part of their history" and, even though "revoked ...the Charter serves as a model for... governance for the individual tribes that make up the MCT...."

Because of the importance Lawrence attaches to the revoked charter so long ago approved in a referendum of the Minnesota Chippewa, he devoted a full page of the newspaper to republish the entire text from a copy of the 1937 charter, as ratified. A former Ojibwe News associate managed to find the copy. The heading on the '37 Charter was approved by the U.S. Department of Interior's then Office of Indian Affairs ("Bureau" came later) and the Consolidated Chippewa Agency, representing the tribes. Lawrence now waits for tribal and general public "fall-out" caused by these disclosures.

The RESERVATION REPORT editorial advisory board applauds Bill Lawrence and The Native American Press/Ojibwe News team for their good investigative reporting on this and many other appalling situations and conditions on many of the nation's reservations. We would strongly agree that "fall out" is justified because: (1) the revocation request was grossly illegal and the perpetrators should be identified and punished for an unauthorized act against their tribes; (2) in the federal records, by an

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Act of Congress, the Minnesota Chippewa tribes have, this month of February, not existed for exactly ten years; and, (3) technically, the tribes could be held accountable for improperly receiving and spending millions of dollars from the federal treasury since 1996. If courts determine the Minnesota Chippewa must pay back federal funding for the period covered, where is the money to come from?

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Ward Churchill

By Bob Manzke

Ward Churchill: Who is he and does he deserve the notoriety he has received lately? Churchill is a professor of ethnic studies at the University of Colorado at Boulder. Since the controversy flared up last week, Churchill was stripped of his title as ethnic studies department chairman.

One of Churchill's essays, titled, "Some People Push Back," describes the nearly 3,000 who died in the World Trade Center attacks as "little Eichmanns," a reference to Adolf Eichmann, who helped Hitler with plans to exterminate Jews from Europe during World War II. The victims, many of whom worked for investment firms, were part of the "mighty engine of profit" but chose to ignore their role, Churchill wrote. "True enough, they were civilians of a sort," he wrote. "But innocent? Gimme a break."

Churchill was once enrolled in the United Keetoowah Band of Oklahoma. And the Oklahoma tribe has since reduced his status to Associate since he could not produce evidence of being at least one-quarter Indian. Over the years, he has claimed ancestry in the Cherokee, Cree and Metis tribes and now says he is 3/16th Cherokee. Pretty strong evidence that Mr. Churchill's credentials may not be exactly what he claims, especially after the

governor of Colorado has called for his firing, and the Board of Regents has launched an inquiry into his published writings and spoken remarks.

If the stipulations are met, the professor from the University of Colorado-Boulder will speak in Whitewater's Hamilton Center as part of Native Pride Week, sponsored by the Native American Cultural Awareness Association and other campus organizations. One of the stipulations is that no taxpayer dollars are spent on this event. Just who do they think supports the college and the students in the Native American Cultural Awareness Association and in other campus organizations.

Recently three colleges have told Mr. Churchill not to bother to show up. However, Wisconsin's own nest of liberalism, University of Wisconsin-Whitewater's Chancellor Jack Miller authorized Mr. Churchill's appearance. In announcing his authorization, Miller said he put free speech principles over his own personal views of Churchill's statements, which he termed "despicable" and "deeply hurtful." The myriad of e-mails and phone calls from around the state condemning Churchill's appearance were also ignored. Apparently Mr. Miller's concern for the taxpayers is for cosmetic purposes only.

The chancellor's approval comes with stipulations, and a warning that circumstances could change prior to the March 1 appearance. The stipulations require assurances that the event can be held with sufficient security and that no taxpayer dollars will pay for Churchill's appearance.

In a statement following the chancellor's decision, the Whitewater student groups defended Churchill's qualifications and his

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 services as director of the Leonard Peltier Defense Committee and has a long history of working with indigenous communities.

"By continuing to host Mr. Churchill's presentation we certainly do not advocate hatred and certainly do not wish to perpetuate the image of the American Indian that hates all white people.

"This Native Pride Week series was created to educate the campus community about current Native American issues and our ultimate goal is to educate and unite, not offend."

Those assertions did little to assuage state Rep. Steve Nass (R-Palmyra), who attacked Miller's decision and Churchill's credentials. "Professor Ward Churchill is an embarrassment to higher education, a purveyor of anti-American hate speech and a poor excuse for a university speaker," Nass said. "This is a sad day for the state, the UW System and the university that I graduated from."

PARR Ed.Note: One can't help but wonder, just how much difficulty, the actions of these kids, have caused for the American Indian, by embracing this "Gentleman."

The theme of Churchill's speech: Racism against American Indians!!!

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The Passport

The elderly American gentleman arrived in Paris by plane. At French Customs, he fumbled for his passport.

"You 'ave been to Fronze before, monsieur?" The customs officer asked sarcastically. The old gent admitted that he had been

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to France previously. "Zen, you should know enough to 'ave your passport ready for inspection."

The American said, "The last time I was here, I didn't have to show it."

"Impossible. You Americans always 'ave to show your passports on arrival in Fronze!"

The American senior gave the Frenchman a long hard look. Then he quietly explained.

"Well, when I came ashore at Omaha Beach on D-Day in '44, I couldn't find a FREAKIN' FRENCHMAN in sight."

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Our Republic's Founders had it Right.

To disarm the people is the best and most effectual way to enslave them," warned George Mason. Patrick Henry concurred, imploring future generations: "Guard with jealous attention the public liberty. Suspect every one who approaches that jewel. Unfortunately, nothing will preserve it but downright force. Whenever you give up that force, you are inevitably ruined. "Respecting the right to keep and bear arms is one of the best ways governments can reduce crime. Conversely, cities where the government imposes gun control have higher crime rates. Far from making people safer, gun control endangers innocent people by increas-

ing the odds that they will be victimized! Gun control also increases the odds that people will lose their lives and liberties to power-hungry government officials. Tyrannical governments throughout the world kill approximately 2,000,000 people annually. Many of these victims of tyranny were first disarmed by their governments. ... I would remind my colleagues that policies prohibiting the private ownership of firearms were strongly supported by tyrants such as Adolf Hitler, Joseph Stalin, and Mao Tse-Tung." --Rep. Ron Paul



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