

# RESERVATION REPORT

A Monthly Media Letter Regarding American Indian Policies

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## **GROUP SEEKS TO DELAY BUILDING U.S.–CANADIAN BORDER CASINO —**

The American Citizens Equal Rights Alliance (CERA) filed an emergency complaint with both U.S. and Canadian authorities in June, requesting a 90-day construction suspension in the building of an off-reservation Indian casino on the border.

CERA's urgent concern is grounded both in recent history and the opposition of a quiet farm community, Lynden, Washington, which never learned they faced being disrupted by a gambling emporium until the town and area rural residents around it were given 30 days notice before casino construction would begin.

The tribes involved are the Nooksack and the Skway. The Skway on the Canadian side and the Nooksack on the American side are closely related and leaders on the two reservations have an interchangeable relationship. By planning their casino off either reservation but midway between and just inside the border at Lynden, the facility would be just 45 minutes from the major Canadian center of Vancouver in British Columbia Province.

Vancouver has special appeal for gaming interests. It has a very large population of wealthy Chinese businessmen who relocated from Hong Kong when the U.K. returned its Asian metropolis in the 1990s to the Chinese Government after some 150 years of colonial possession. Chinese are among the most eager gamblers in the world.

What is of particular concern to CERA and the people in Lynden is the unsavory tribal record that was exposed in July 2000 by the *Seattle Post-Intelligencer* after an investigation by the FBI and the indictment at that time of 18 Nooksack Indians.

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## **AKAKA BILL FAILS CLOTURE ON JUNE 8<sup>th</sup>. STAND BY FOR "PLAN B"**

The Native Hawaiian Government Reorganization Act of 2006, (Senate Bill 147) commonly known as the "Akaka Bill," failed to achieve a 3/5ths majority in a Senate Cloture vote on June 8th. The Senate voted 56 yeas and 41 nays (3 senators not voting), effectively defeating any further Congressional movement on S. 147 for the current legislative session.

Against all odds, a major, unfunded grassroots effort of citizens in Hawaii and nationwide apparently prevailed over a well-funded vigilant support for the bill by Governor Linda Lingle, Hawaii elected officials, the Office of Hawaiian Affairs (OHA), a cadre of high-paid lobbyists, and two powerful Senators, Daniel Akaka and Daniel Inouye.

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**OUR APOLOGIES:** To our media readers, for the long interruption to production of the May issue, which is combined here with the June edition of the newsletter. Cause of the delay was the Editor's two emergency health operations. It is hoped that the regular monthly schedule production of *Reservation Report* will now resume in July.

—John Fulton Lewis

**NEWEST HIGH COURT DECISION FURTHER NAILS DOWN SHERRILL VICTORY** — If anyone questioned the strength of a March 29, 2005 ruling of the United States Supreme Court in *Oneida Indian Nation v. City of Sherrill*, all doubt was removed on May 15, 2006. The ruling in *Sherrill* provided equitable relief to the smallest city in New York when sued by the Oneida Indian Nation for relief from property tax collection on land purchased by an Indian tribe. The Court clarified that the mere purchase of (taxable) fee land by an Indian tribe does not re-characterize the property as "Indian land."

The U.S. Supreme Court found that the Doctrine of Laches (you have come too late to court and taken no action in the interim) applies in the *Sherrill* case, and further found "Acquiescence, Impossibility, and Justifiable Expectation" of well settled communities to not be parceled into tribal sovereign "patches."

Recently, and in context of the *Sherrill* ruling, the 2<sup>nd</sup> Appellate Court revisited the *Cayuga Indian Nation of NY v. Pataki, Governor of New York* case, to consider a previous judicial monetary award of nearly \$248 million dollars in damages to the Cayugas, associated with the 26-year-old land claim litigation. The 2<sup>nd</sup> Appellate Court denied the monetary award so the Cayuga's appealed the decision to the U.S. Supreme Court.

On May 15, 2006, the U.S. Supreme Court quietly, without explanation, declined to take up the Cayuga matter. This silent inaction of the U.S. Supreme Court now fully asserts the strength of the *Sherrill* case, and expands its findings, by letting the 2<sup>nd</sup> Circuit Court decision stand, to monetary damages as well.

Tremors in Indian land claim litigation are reverberating across the country. Tribes such as the Shawnee of Oklahoma may find their enormous land claim litigation against the State of Ohio soon dismissed. Likewise, tribes filing large "ancestral" land claims in Illinois, Colorado and other states, now must confront the Doctrine of Laches, the justifiable expectations of "well-settled" communities, and the unlikely potential of any monetary damages.

The legal strategy of wealthy gaming investors and tribal governments to file ancestral land claims in states that have no federally recognized tribes or reservations has prompted a national outcry against "reservation shopping" and the explosion of applications for off-reservation casinos. Claiming historically important, "ancestral" lands as legal and political leverage to swap for prime land near premiere gaming markets in urban areas is likely an obsolete tool now. This is an unintended, but some say urgently needed, consequence of the *Sherrill* ruling.

The *Sherrill* and *Cayuga* rulings may prevent many States from being forced through litigation to accept tribal gaming. Tribal governments may always acquire land and seek placement of the land into federal trust for the purpose of gaming under the Indian Gaming Regulatory Act of 1988. The difference, post-*Sherrill* and *Cayuga*, is that now such efforts will be successful only in municipalities that genuinely welcome such endeavors.

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FOR PREVIOUS ISSUES OF RESERVATION REPORT**

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**CERA ORGANIZATION HAS STRONG TURNOUT AT 2006 CONFERENCE –** The Citizens Equal Rights Alliance, after years of annual meetings in Washington, D.C., concerned with past and present federal Indian policies that are unaccountable and destructive and often unconstitutional, focused much of its attention at this year's meeting, as well, on the future. At the April 30-May 4 meeting, it was clear that CERA is especially alarmed now with race-based issues and movements such as the Congressional effort to promote racially separate governments for Native Hawaiians, Native Alaskans, and leaders of the Mexican "Aztlan Movement."

Sixteen hours of education panels in two days included experienced and expert panelists from across the country addressing topics such as tribal "sovereignty;" federal agency "Treatment Similar To States" (TSTS) policies that remove state regulatory authority; fee land taken into federal trust; the Indian Gaming Regulatory Act and off-reservation Class III tribal casinos; law enforcement and jurisdictional conflicts. **But special attention was given to the legislation sponsored by Senator Daniel Akaka (D-HI) to establish what amounts to a separate Hawaiian state not subject to the laws of the United States. Similarly, conferees devoted time to discuss the linkage between federal Indian policy and goals of the radical "Aztlan Movement" that assert seven Southwestern states as Mexican Indigenous "homelands."**

Major mainstream media columnists and senatorial staff provided keynote addresses at luncheons and dinners. Among invited speakers were Professor John Kindt, Ph.D., a nationally recognized expert on socio-economic impacts of gambling, and Bradley Beecher, former Connecticut State Trooper now engaged in substantial Constitutional litigation against Mohegan Sun Casino operators. Local elected officials, legal counsel and community leaders from 17 states attended CERA's conference and immediately thereafter conducted prearranged meetings with Senators, Congressmen, key personnel in the Department of Interior (DOI), Bureau of Indian Affairs (BIA), National Indian Gaming Commission (NIGC), and in the national headquarters of several organizations.

**CERA members are particularly opposed to Senator McCain's Senate Bill 2078 which includes a "grandfather clause," a veritable "open enrollment period" for tribes to submit initial papers for future off-reservation casinos. The organization is equally opposed to Congressman Pombo's H.R. 4893, which establishes "Indian Enterprise Zones" for unlimited numbers of future tribal casinos. "Both bills feign reform and ultimately expand Indian gaming," says Elaine Willman, CERA's Chairman since 2002. "Both elected officials are recipients of abundant tribal contributions. Neither elected official (McCain or Pombo) should be leading the charge for reform or investigation of wrongdoing respecting Indian gaming," states Willman. "Their fingerprints are all over a system that has spawned corruption, conflict of interest, as well as appearance-of-fairness issues."**

A highlight of the CERA Conference was a Pioneer Achievement Award presented to Howard Hanson of Hopkins, Minnesota, "For a lifetime of courage, outreach and generosity of spirit and resources for the plight of Native Americans and all citizens whose rights and beliefs have been trampled upon by government."

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**TO RECIPIENT EDITORS, COLUMNISTS & TALK SHOW HOSTS:** *Reservation Report* is a monthly news-alert service regarding U.S. federal Indian policies, reservation and casino issues, and the spread of multiculturalism affecting the lives and welfare of Indian and non-Indian residents and businesses. RESERVATION REPORT'S Executive Editor is John Fulton Lewis of Reedville, VA. E-mail: [nccomm@crosslink.net](mailto:nccomm@crosslink.net)

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### **24 OFF-RESERVATION CASINO APPLICATIONS FILED SINCE MARCH 29**

– At the end of March, Senate Indian Affairs Committee Chairman John McCain (R-AZ) won the group's approval for imposing restraints in S.2078 – the Reservation Shopping Bill -- after April 15<sup>th</sup> on further tribal efforts to win potentially lucrative sites for their gambling enterprises, far from reservation boundaries. He pledged, at the time, that if a significant number of new applications were submitted he would roll back the April deadline to March 29<sup>th</sup>. Since the count of two-dozen new requests since the March date have swelled total pending tribal submissions for off-reservation locations to 52, McCain is being strongly urged to invoke his pledge.

### **PENOBSCOT'S CHIEF, SAPPYER, LEADS HOMAGE MISSION TO THANK**

**CHAVEZ** – Grateful for the discounted heating oil provided this past winter to some of New England's poor by Venezuela's Citco Petroleum Corporation - dispensed on orders of that country's militant Leftist strongman, Hugo Chavez - the Sappier-led delegation included representatives from the Maliseet, Micmac, Passamaquoddy and Penobscot Indian tribes. They traveled to Caracas, the Venezuelan capital, to show their appreciation for the support of Chavez, who has joined Cuban Communist dictator Fidel Castro and others in opposing U.S. policies and influence in the Americas. There were other U.S. citizens, it was reported, including Congressional staff, in the group. They were honored by Chavez at a public forum of some 4,000 people where Sappier presented the Venezuelan with a carved prayer stick. Chavez announced he and Citgo would expand and continue aiding poor people needing heating oil relief in the U.S. northeast next winter.

### **LNG HOPES OF MAINE & TRIBE NOW BLOCKED BY MULTITUDE OF PROBLEMS**

– The long ordeal for the Passamaquoddy Indian tribe, situated on the Bay of that name, in winning approval for building a liquefied natural gas dock and conversion terminal across from the Canadian Province of New Brunswick has only worsened in the past month. Bolivia, believed to be one of the world's greatest sources of natural gas, celebrated May 1<sup>st</sup> by nationalizing the industry on the Eve of what might have been that land-locked nation's foremost step into the globalized economy. More frustrating to environmental and energy desperate advocates of a Maine terminal in the Passamaquoddy area was the report from Wall Street that there has been serious malfunctioning of the entire natural gas system because of poor planning, confused management, too much politics and economic stress.

As if that wasn't enough, says Reservation Report's Maine correspondent Steve McCormick, the Canadian Government has announced its opposition to the LNG wishes of both Maine and the tribe. In addition (but this was always expected) the provincial leaders in New Brunswick across the Bay and the maritime province of Nova Scotia where LNG terminals are also planned, joined the loudly negative chorus. In early April, Canada's Ambassador to the United States, Michael Wilson, wrote to the U.S. Energy Regulatory Commission to warn that his nation takes a very critical view of the proposals for authorizing any LNG terminal in the Passamaquoddy Bay area. He reminded anyone willing to take a hint that the Bay could only be accessed by ocean-going shipping passing through Canadian waters even though New Brunswick and Maine have equal rights to the Bay itself. Wilson's declaration, when added to the objections of Maine lobstermen, environmentalists and some Maine property owners who would prefer not to see the introduction of any industrialization and international shipping that might threaten the relatively stress-free life of the region, may postpone resolution of the natural gas enterprise around the Passamaquoddy for a decade or more to come.

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A Commentary — The Issue of Tribal Claims

### **WHERE THE PUBLIC IS KEPT OUT OF THE LOOP!**

By Joe Fellegy

We have often written about a “loophole” involving a “boundary issue” and a “disputed area.” (The “loophole” developed after Minnesota’s high court opined that Minnesota’s predatory offender registration requirements don’t apply to Indians living on reservations. Here, if you didn’t know, the question is which Mille Lacs Reservation?)

Thanks to years of unclear reporting and misleading spin (here and afar), the basics of the “boundary issue” often escape people most affected. Yes, the dispute relates to Mille Lacs Indian Reservation. Why, some ask, is there now a boundary dispute? Well, it’s not the usual boundary dispute. Instead, the dispute involves a more profound geography question: What area does “Mille Lacs Indian Reservation” cover? Or, which Mille Lacs Indian Reservation “exists” today? Is it the “reservation” most folks know — several thousand acres of federal/tribal trust land on the west shore of Mille Lacs at Vineland (location of the Indian Trading Post, tribal government headquarters, Grand Casino, etc.)? That’s been the “reservation” for generations of tribal elders, other locals, tourists and Minnesota citizens generally.

Or, is it an area about 15 times that size, sprawling across northern Mille Lacs County, enveloping the south portion of Mille Lacs Lake, and including all of Kathio, South Harbor, and Isle Harbor Townships, plus whatever “reservation waters” attach? That older and much-larger reservation was the original 1855-treaty, 61,000-acre entity not recognized by county or state, traditionally not known as “reservation” or tribal “homeland” by Mille Lacs elders and other lake residents, nor by town governments, anglers and tourists. That original reservation is dubbed “former” in many documents, from a 1913 U.S. Supreme Court opinion to 1990s research/writings for the Minnesota Historical Society.

Today’s “boundary dispute” — really a big “which reservation?” issue — has roots in a 1991 letter or “opinion” by a Chippewa attorney in the Field Solicitor’s Office (U.S. Dept. of the Interior, Fort Snelling). The letter states that the original 61,000-acre reservation still exists. Somehow, that translates into “the federal government recognizes” the old reservation.

#### **Legal ‘Indian country’**

People are rarely told why reservation status — whether it’s 3,500 trust-land acres at Vineland or 61,000 acres across three townships — is super-important. Instead, this “dispute” is portrayed as a good guys-versus-bad guys thing (being for or against “the Indians”).

Mainly sidestepped is the key point with huge ramifications: a full-bore Indian reservation is legal “Indian country,” even if most land therein is owned by non-Indians. Tons of ever-evolving federal, state, and tribal law target Indian Country, from civil rights legislation and employment law to policing powers and natural resource management, not to mention the reach of tribal government and tribal courts over Band members and other Indians. Affected peoples should insist that attorneys, bureaucrats, and commentators pushing agreements, memoranda of understanding (MOUs), partnerships, and legal arrangements involving “reservation,” be upfront and detailed about how such working-together would, or could, impact governance and lives in Indian Country.

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*Mr. Fellegy is a highly regarded historian, especially with respect to area Indian issues, in the Mille Lacs region of Northern Minnesota. His remarks were extracted from a recent commentary.*

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### **UNITED NATIONS RACE DISCRIMINATION UNIT ATTACKS U.S.**

On behalf of the Western Shoshone Indian Tribe's claim to 60 million acres of allegedly ancestral lands in Nevada, Idaho, Utah, and California, the UN Committee on Elimination of Racial Discrimination has "ruled that the U.S." failed to honor a UN treaty it signed in 1994.

The estimated 10,000 U.S. Indians with Western Shoshone connections or blood links are supported in their claim by Oxfam America and various activist groups.

Meanwhile, the UN does little or nothing about racial discrimination such as genocide in Sudan, or racial and tribal violence and abuse in Nepal, Nigeria, Sri Lanka, China's Central Asian provinces, and Robert Mugabe's Zimbabwe.

The 60 million acres of claimed Western Shoshone land, though acknowledged in an 1863 treaty while the U.S. was fighting a civil war of survival, were declared federal lands by the Supreme Court in 1979.

### **INDIAN NAMED TO NORTH DAKOTA STATE BOARD OF EDUCATION**

Former Standing Rock Sioux Leader Charles Murphy may be the first American Indian chosen to serve on the prestigious education body. In accepting the post he also urged that the University of North Dakota keep its "Fighting Sioux" nickname.

Murphy was Standing Rock Sioux chair for 18 years and has also been chairman of the tribal Sitting Bull College at Fort Yates, ND as well as chair of The United Tribes Technical College in Bismarck, ND. This college is the cooperative effort of the state's five Indian tribes.

In addition to his newest education responsibilities, Murphy is a GOP candidate for a House seat in the State Legislature.

### **CAROLINA COLLEGE WINS RIGHT TO KEEP "INDIANS" NICKNAME**

The National Collegiate Athletic Association has approved **Catawba College's** right to use "**Catawba Indians**" for a team nickname, mascot, or imagery during NCAA tournaments or championship games.

Approval was granted after the Catawba Indian tribe said it had no objection as long as the North Carolina college used the full nickname "Catawba Indians" rather than just "Indians" for its sports teams.

### **GOVERNOR BUSH FINDS SEMINOLE GAMING WISH UNACCEPTABLE**

Jeb Bush and Florida's premier Indian tribe devoted much time and talk to a Seminole Indian tribe's request to expand their gaming activities now that Broward County voters authorized full-scale, Las Vegas style slot machines to pari-mutual operators. Miami-Dade County voters rejected the slots expansion.

The Governor said while his door remains open to further discussions with the Seminoles, "the reach was just too much for me."

Jeb Bush does not want Florida to become a significant gambling center and has tried to discourage it wherever and whenever he can.

The Seminoles now are likely to seek a federal license okay to bypass the Governor's wishes. The negative vote on slots in Miami-Dade, however, may work as a deterrent on hasty approval from the Bureau of Indian Affairs.

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### **GROUP SEEKS TO DELAY BUILDING CASINO (Continued from Page 1)**

Also involved were numerous Skway officials for a sophisticated drug-smuggling scheme. The investigation included allegations of a “Filipino Gang,” from Southern California, known as the Rabang Family that has somehow acquired tribal membership and may control the Nooksack tribal council, much to the anguish and fear of other Nooksack tribal members. The Rabang family has strong connections with the Canadian Skway tribe as well, according to the Post-Intelligencer.

In this latest move, Nooksack officials quietly processed their application through the National Indian Gaming Commission and Washington State Gambling Commission, secured approval from Governor Christine Gregoire, and Voila! - a Vegas-style casino, managed by a tribal government of questionable criminal history, will open in one of the most remote and vulnerable areas of this country's international border. “Land use incompatibility and border vulnerability cannot be understated,” said CERA President Elaine Willman.

She added, “Upon hearing of the trauma now hovering over the pastoral region of Lynden, Citizens Equal Rights Alliance (CERA), a national organization promoting Constitutional and civil rights of tribal members and other citizens, completed an on-scene investigation, and filed a formal Complaint requesting a 90-day construction suspension, pending deeper review of criminal history of tribal officials (including possible involvement of Canadian tribal officials), land-status suitability for gaming, homeland security vulnerabilities and violations of 42 U.S.C. 1981 - 1984, civil rights violations inflicted upon citizens and landowners in Lynden and Whatcom County, WA.”

CERA's Complaint was submitted to the Department of Interior, Bureau of Indian Affairs, National Indian Gaming Commission, Ministry of Public Safety in Vancouver, B.C. and the Royal Canadian Mounted Police. Numerous Senators and Congressmen, including Senator John McCain and Congressman Richard Pombo, also received the Complaint.

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*For a copy of the CERA Complaint, contact: Elaine Willman: 509-865-6225, Email: toppin@aol.com*

### **TRIBES AND TRIBAL CASINOS, PLUS AGENCIES, CHALLENGE NLRB**

Not until America's Indian tribes were licensed to conduct gambling and began operating very sophisticated casinos for the general public was there a problem.

But when non-Indian employees of the San Manuel Band of Mission Indians in California sought rights and protection under the National Labor Relations Board, federal labor laws and Indian sovereignty claims collided head-on.

The San Manuel Band said they were immune from federal labor statutes. NLRB argued otherwise because Indian gambling facilities were now employing non-Indians and tribal immunity only applied when only Indians were really affected by tribal decisions or management. The NLRB voted 3-1 in 2004 that employees at popular Indian casinos, beginning with San Manuel Band, were subject to NLRB oversight. Earlier this year a brief in support of the San Manuel Tribe was filed by the National Congress of American Indians, the National Indian Gaming Association, and many tribes that also were casino operators.

Congress, over Republican support for tribes, supported NLRB in the dispute as Democrats remained true to their labor-union base.

The issue now is in the D.C. Circuit Court of Appeals where hundreds of non-Indian casino resort employees await an outcome that seriously affects them.

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### AKAKA BILL (Continued from Page 1)

Now, just two weeks after the U.S. Senate refused to consider self-rule for Native Hawaiians, on June 22nd, the Board of Trustees of OHA unanimously advanced a plan to create a new Hawaiian government by the end of 2007. A draft copy of "Hooulu Lahui Aloha, to Raise a Beloved Nation" details plans to hold a constitutional convention next summer, followed by the election of officers and transfer of Hawaiian assets by the end of the year. Those who opposed S. 147 are calling this new OHA strategy "Plan B," wherein OHA itself would be dismantled, with its powers transferred to the Native Hawaiian Governing Entity.

**The new government would negotiate with the governor, the state Legislature and Congress for full autonomy. Ken Conklin, Ph.D., activist in Hawaii who opposes a separate, race-based government said, "Any bunch of folks can form a private club. Calling that a 'government' is far-fetched. Transferring state government assets to such a club is troubling -- illegal if the club is racially exclusionary. Amending our (Hawaii) Constitution requires ratification by ALL the people."**

On the same day of cloture defeat of S. 147, however, Governor Lingle held a news conference where she said she would be meeting with OHA to see how to "create a mechanism, a structure so the Hawaiian people can have the authority and responsibility for their own resources and assets." **(Would any other Governor in his or her right mind propose such a thing for his or her State?)**

Also lurking mysteriously within Congressional legislative activity is S. 3064, a revised version of S. 147 that was given 1st and 2nd reading status without generally prerequisite committee reviews. It would appear that for citizens opposing separate, race-based governments, vigilance will continue to be the order of the day, as the defeat of S. 147 may have been but a welcome respite.

### U.S. PARK SERVICE "DISINFORMATION" CAMPAIGN

In the Cold War years, Soviet Union propagandists employed tactics to confuse both the U.S., its NATO allies, and the USSR's own people. One such tactic was to give radically different names to long accepted subjects or radically different definitions to established meanings of words and ideas.

The resulting confusion was more effective behind the Iron Curtain than beyond it.

Now, it appears, the U.S. Park Service is attempting something similar with regard to the ancient lost tribe of the American Southwest.

Archaeology magazine for July-August 2006, reports that a dispute now rages between many in the scientific and historic research community and the Park Service over a sudden name change.

Beginning in 2004, it seems, the Park Service was persuaded by some Navajo activists to abolish the Anasazi name for a tribe that disappeared 100 years ago. The argument presented was that "anasazi" is a Navajo word meaning "ancient enemy" since the tribe were, indeed, bitter rivals far back in history.

But archaeologists and others who have spent recent years studying the Anasazi and what may have caused their extinction, resent the Park Service tinkering with the lost tribe's name. And they are especially upset with the Park Service substitute name for the Anasazi—the "Ancestral Puebloans" or some other variation featuring the Spanish word "pueblo" for "people."

Meanwhile, the Park Service and some booksellers have engaged in obliterating references to the Anasazi on all printed material they can alter. Extreme leftist disinformation techniques still appeal to some, even in the employ of the U.S. Government and even at the expense of history, science, and research.

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### *AN ALL-AMERICAN SUCCESS STORY* **THE TRIBE THAT COULD AND DID**

Thanks to editor-publisher Bill Lawrence, readers of his weekly newspaper “The Native American Press/Ojibwe News” in Bemidji, Minnesota, learned June 2, 2006 about a remarkable tribe in the southwest of our nation. The Fort Mojave Indian Tribe believes in the “American Dream” and lives by free enterprise to build it, in freedom, for its tribal members as well as the communities around it. “The Mojave own and occupy 33,000 acres,” Lawrence writes. Over recent months, he has visited the reservation in the three-corner region of the U.S. where Arizona, California, and Nevada meet.

His initial trip earlier in the year was to attend the centennial celebration of the Fort Mojave Indian Band, a musical ensemble.

This Band is made up of 40 fine musicians who are very popular in the area whenever they demonstrate their talents in parades and area festivities.

The second journey Lawrence took to visit the Fort Mojave Tribe was in May to attend ceremonies attendant to the death of Llewellyn “Lew” Barrackman. Barrackman, aided always by his wife Betty over a 62-year marriage, was chairman or vice chair of the tribe for 40 years. It was his inspired leadership, writes Lawrence, that made the Fort Mojave Indians so successful.

Four decades ago, the tribe—like most on reservations—blamed all of its disturbing conditions of poverty, corruption, addiction problems and degradation on the loss of tribal lands and cultural setbacks by the white man. Barrackman had a different idea. He said they should again observe the cultural ways of their past and be faithful to them. They should no longer waste time feeling sorry for themselves nor should they “lose twice” by engaging in the blame game.

Barrackman then turned the Fort Mojave Indian Tribe and its reservation into a corruption-free economic powerhouse. As Lawrence writes: “The Mojave experience of poverty and hopelessness was not unlike other tribes, but they have distinguished themselves by rising ... to be equal players in the economy and life” of the three corners region of the nation. They have now developed into an entrepreneurial tribe with a solid record of successful business relationships.

In a 2001 booklet the tribe published about their many achievements, the Fort Mojave pointed to the fact they were “set up to do business. The tribe owns ... an electric utility [that] is service provider to all enterprises on the reservation.

“Fort Mojave Telecommunications, Inc. [that] continues to embrace new technologies and provides digital Internet, telephone, and cable service in the southern Mojave Valley.”

The tribe’s Development Corporation engages in leases for development and initiates and manages businesses. The Fort Mojave Indians have their own construction firm licensed to do general contractor work, which built the water line that supplies an RV park near the Mojave Golf Course and also serves the Colpine Southpoint Power Plant nearby.

The tribe’s Utilities Authority is water and wastewater service provider for both tribal and non-tribal customers in Arizona and Nevada.

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### THE TRIBE THAT COULD AND DID

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They also have on-going contracts with an impressive list of clients such as Kroger Foods, Western Aggregate, Texaco, Palm Desert’s Temple Development, Philip Morris, JB’s Family Restaurants, Subway Restaurants, Baskin-Robbins, and Kid’s Quest of Minneapolis.

Barrackman also engineered tribal cooperation with state and local agencies of government in the three states touched by the reservation.

The tribe is the largest employer in the southern Mojave Valley—3,100 jobs created at latest count—and thanks to enterprise, full employment has been provided tribal members. In addition, every tribal member gets an annual payout of \$5,000 from tribal profits.

After witnessing the 100th anniversary of the Fort Mojave Band music ensemble and later the extended 24-hour ancient ceremonial funeral services and memorials for Lew Barrackman, Lawrence wrote:

“On both occasions, what struck me was the sense that the Fort Mojave people seem to have achieved a remarkable balance between two cultures. They proudly retain their inherent Indian character and culture. They live and prosper as entrepreneurs in a totally modern world in harmony with the dominant culture.

“Observance of the ways of the past has helped the Mojave retain their identity, and survive the changes they have been subjected to.

“The loss of lands, customs, language, and ways has been a constant in the lives of American Indians. These losses have been the explanation and the excuse for the disturbing conditions—poverty, corruption, addictions and a general state of ill health—that exist on many Reservations.

“The Mojave experience has not been different, but they have distinguished themselves by rising from the poverty and insignificance thrust on them to be equal players in the economy and life of the 3-corner area...”

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**HUMANS DIDN’T ELIMINATE MAMMOTHS HERE** — The long-held mythology that says early human arrivals—who developed spear points first found near present-day Clovis, NM—killed all the mammoths and other prehistoric big game in North America is no longer credible.

So reports *Archaeology Magazine* for July-August 2006. The big game that occasionally was brought down by Clovis spear points was also brought down by climate changes over a period far more extensive than the human presence which didn’t show up near Clovis until nine or ten thousand years ago.

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