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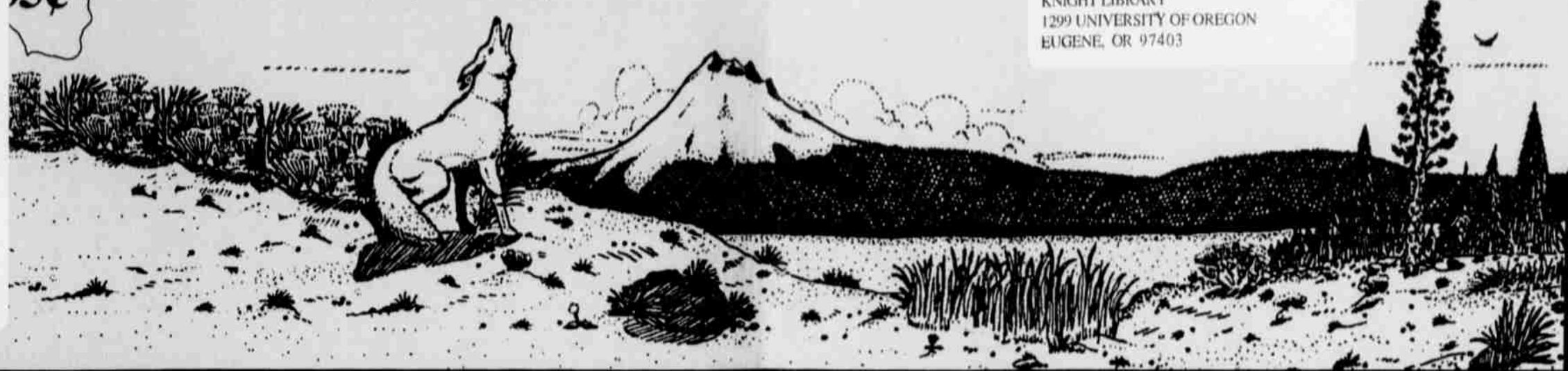
Spilyay Tymoo

(Coyote News)

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Coyote News In Brief

New police chief hired
Dan Kneale, formerly of Warrenton, Oregon, was hired as Warm Springs' newest chief of police. He came on board September 23. 2

Coalition wins case against forest service
The Confederated Tribes were part of a suit filed against the US Forest Service for failure to protect water quality in a John Day River tributary. 2

Museum show opens
Memorable Images, in the Museum's Changing Exhibit Gallery, offers visually stimulating photos of the past. 3

Calica spends time in nation's Capital
Direlle Calica, as part of the WINS program, spent seven weeks as an intern in Washington, D.C. 3

Lessons offered
The Sahaptin, Kiksht and Paiute lessons offer plenty of challenge to language students. 6 and 7

Spilyay taps news service
To better inform Spilyay readers of goings-on in Indian country, Spilyay has joined the AP Newsfinder news service. 8

Tribes plans charter school
Sahaptin language will be part of the curriculum at Warm Springs. Elementary next fall. 8

WS youth fare well in PPK competition
The popular football competition drew 77 youth from throughout the county. 9

Pro offers tips
Resort golf pro advises players to warm up adequately before beginning a round. 10

Remember to VOTE
October 16 in the Adoption Referendum

Deadline for the next Spilyay Tymoo is Friday, October 18, 1996

Spirit Walker Dance Group to go on 35-day tour overseas



Joe Tuckta will perform the eagle dance.



James Teeman will perform a hoop dance.



Spirit Walker Dance Group to perform various dances for military basis overseas.

Spirit Walker dance group from Warm Springs will go on tour to perform for American Servicemen and their families at military bases overseas. "This is the first time ever for a Native American group to go on tour for our servicemen," says Tuckta. The Spirit Walker dance group will begin their 35-day tour November 5 and continue to December 9.

They will perform in Iceland, the Netherlands, Belgium, Germany, Norway, England, Scotland and possibly Spain. They will perform two shows per day and have one day of travel. "We're getting paid and seeing the world," says Tuckta. Their performance consists of dance performance of each performer, the eagle dance, hoop dance and the Lord's Prayer.

The airfare and ground travel is paid for by the U.S. Government and each performer in the group will receive \$75 a day, even on their traveling days. The amount of money being paid for the trip, including daily payments to dancers, is \$18,370.

Tuckta was contacted by Denny Herman, who manages his dance group throughout the year, to see if he was interested in going. Tuckta says, "It's an honor for me to be selected to represent Warm Springs. If this tour goes well, we may be able to travel to other countries and perform."

This is the first time traveling overseas for all members of the group, except one. Danelle Tailfeathers has performed with the Native American Dance Theatre in Italy, Paris, Africa, Middle East and every state in the United States. Danelle will be the fancy shawl dancer for the Spirit Walker tour.

Other dancers include: Eldred Heath, grass dancer; Greg Arquette, drummer; Sandra Sampson, women's traditional; Angela Polk, jingle dancer and Lord's Prayer; and Joe Tuckta, men's traditional dance, eagle dance and MC. James Teeman will perform men's fancy and a hoop dance.

Tuckta's original dance group consists of young children and teens and due to age limitations, they could not participate in this tour. He is very confident this group will do well. "They are all really good dancers and performers," he adds.

State, Tribe at odds over Treaty of 1865

The past often comes back to haunt those of us in the future. The Treaty of 1865, considered fraudulent and unenforceable by many, including federal government, is now determined, by high-ranking state officials, to be the basis of numerous agreements between the Confederated Tribes of Warm Springs and the State of Oregon. Though the Treaty was ratified by the US Senate those 130 years ago, the Treaty was never recognized nor was it enforced. This recent controversy is a bitter reminder that our tribal ancestors were cheated and lied to by an unscrupulous government Indian agent.

Efforts are currently underway to inform State officials and the public about the history of the Treaty of 1865.

As the descendants of the signers of the Treaty of June 25, 1855, between the United States and the Tribes and Bands of Middle Oregon, Warm Springs people have always exercised their

reserved rights. The existence of the admittedly fraudulent Treaty of 1865 has never affected the practice of those rights. The Warm Springs Tribal Council learned recently that the US Senate has adjourned for this term without action on S. 2102, Senator Mark Hatfield's bill to recognize the invalidity of the Treaty of 1865. While tribal officials are disappointed that the bill was not enacted by Congress this term, the Tribe is very grateful to Hatfield for understanding the moral and ethical need to restore the honor of the United States by wiping the 1865 Treaty from the historical record by nullification legislation.

It was just by chance that a State official happened to see Hatfield on C-SPAN introducing the bill. Word quickly spread about what Hatfield's intentions were. Governor John Kitzhaber quickly fired Hatfield correspondence stating, in part, "Clearly, the Treaty of 1865 was not a proud moment in our nation's history and I

make no attempt to defend it. Nevertheless, this treaty has been in existence 131 years and agreements and understandings on the affected lands have evolved on its basis." Kitzhaber feels, that without the treaty, the tribe potentially could lay claim to major rivers, including the Deschutes, and hunt on millions of acres of ceded lands, private or public, without risk of prosecution.

Kitzhaber's actions will not stop the Warm Springs Tribe from signing a long-sought water agreement with the state. In an interview with the Oregonian October 1, Tribal Council Member Zane Jackson stated "We intend to go forward" with the agreement. "It's a good agreement. It benefits the tribes, the federal government, the state." The agreement has taken nearly 15 years to negotiate and ensures adequate flows in the Deschutes River, balancing development and irrigation with natural resources. The agreement was to have been signed last month, but US

government officials raised objections and wished to add language that would prohibit, forever, the Tribe from litigating future water agreement violations.

That S. 2102 did not become law changes nothing legally, just as the enactment of the bill would not have changed the legal status of the Treaty of 1865. Since time immemorial, and in the 140 years since the 1855 Treaty was executed, Warm Springs people have exercised their off-reservation rights to hunt, fish and gather traditional foods consistent with numerous federal and state court decisions and statutes recognizing the nature and scope of those treaty rights. The Tribe will continue to exercise those off-reservation Treaty rights for as long as the Tribe exists as a distinct people—that is to say, forever.

The State's response to S. 2102, especially the numerous letters and phone calls to Senator Hatfield, the rest of the Oregon Congressional delegation, the media, and various water users, sports and

conservation groups, was extremely "disappointing." Despite the express recognition of the invalidity and unenforceability of the Treaty of 1865 by the federal government and many years of support and recognition of the 1855 Treaty rights by the State, the Tribe was very surprised and angered to learn that the highest ranking state officials now apparently believe that the Treaty of 1865, which the state itself has acknowledged was fraudulent, is a valid and enforceable document and that Warm Springs people do not have the rights always recognized by both the federal and state governments.

The Tribe can only hope that Governor Kitzhaber and other high officials of this state were misled by subordinates, and that they will yet come to understand the truth. The misstatements and untruths in various state letters in opposition of S. 2102 will be fully addressed and the many

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