

Resolution details annual allowable cut amendment

Resolution 9285—Ordinance 74 Amendment

WHEREAS, The Confederated Tribes of the Warm Springs Reservation of Oregon in 1986 approved Resolution 7410 calling for the use of an integrated planning approach in the development of all future resource management plans; and

WHEREAS, The United States Government is required under its Trust Responsibility, laws and regulations to manage and protect the physical, biological, social and cultural resources of Native Americans, in the case of the Confederated Tribes of the Warm Springs Reservation of Oregon (CTWS), those obligations are based on the Treaty of June 25, 1855, with the Tribes and Bands of Middle Oregon and other applicable statutes, regulations, and case law, therefore, the CTWS and Bureau of Indian Affairs (BIA), Warm Springs Agency, prepared an Integrated Resource Management Plan (IRMP I) for the Forested Area of the Warm Springs Reservation; and

WHEREAS, The CTWS adopted Tribal Ordinance 74 for the purpose of the IRMP I to provide management direction for the use and/or protection of the natural resources, as the case may be, within the Forested Area of the Reservation, and is in the best interest of the CTWS, and is in conformance with the Constitution and By-Laws and Corporate Charter of the Tribes; and,

WHEREAS, The Tribal Council adopted Resolution No. 8296 on July 31, 1991, whereby the allowable cut will be phased in over the next five years; and,

WHEREAS, When Tribal Ordinance 74 and IRMP I was adopted, the Tribal Council selected the Balance Alternative except that the recommended allowable cut of Timber would be phased in as listed below, recognizing that the sustainable level of timber harvest will vary, (51.8 - 56.6) MMBF, depending upon operational level forest management decision to be made in the near future; and,

WHEREAS, Tribal Ordinance 74 and Resolution No. 9046 designated and authorized the Secretary-Treasurer and BIA Agency Superintendent to implement IRMP I recognizing that it may need to be amended to meet changing Tribal demands and changing forest technology. Therefore, IRMP I may be changed by Tribal Council resolution to meet changing Tribal direction; and,

WHEREAS, The CTWS Tribal Council adopted Resolution No. 8646, "A Timber Allocation and Sales Agreement Between the Confederated Tribes of the Warm Springs Reservation of Oregon, Warm Springs Forest Products Industries, and First Interstate Bank of Oregon, a National Banking Association", which in section 5 d. Timber Volumes states that "In accordance with the Tribal Council Resolution No. 8296, passed on July 31, 1991, the annual

allowable cut shall be as follows: provided, that any volume not harvested by Enterprise in the year designated may be carried over by Enterprise for harvest in future years, by Tribal Council Resolution. Enterprise harvest volume shall not deviate from the designated volume in any one year by more than ten percent nor more than five percent for any successive five-year period;" and,

WHEREAS, Tribal Ordinance 74 does not state that harvest volumes may deviate from the designated volume in any one year by more than ten percent nor more than five percent for any successive five-year period, so Tribal Ordinance 74 and Tribal Council Resolution No. 8646 are in conflict; and,

WHEREAS, Tribal Ordinance 74 and IRMP I states that the annual allowable timber cut for 1996 will be 55 MMBF; and,

WHEREAS, The Jefferson Fire Salvage Timber Sales and the blowdown material caused from the fall 1995 and winter 1996 wind storms created unexpected amounts of timber volume that WSFPI needed to harvest and capture value; and,

WHEREAS, Due to the Jefferson Fire Salvage, blowdown material and to take full advantage of existing timber markets WSFPI plans to cut 60.5 MMBF; and,

BE IT RESOLVED, The Tribal

Council approves to amend Tribal Ordinance 74 through this resolution to meet changing Tribal direction for the 1996 annual allowable cut of timber from 55 MMBF to 60.5 MMBF;

BE IT FURTHER RESOLVED, That this resolution will only be for 1996 allowable cut of timber due to the Jefferson Fire Salvage, the blowdown material and to take full advantage of the timber markets; and,

BE IT FURTHER RESOLVED, That the WSFPI harvests the 60.5 MMBF prior to December 31, 1996, then harvesting activities would be stopped, until January 1, 1997, when Tribal Ordinance IRMP I annual allowable cut of timber will be in between 51.8 and 56.6 MMBF.

CERTIFICATION

The undersigned, as Secretary-Treasurer of the Confederated Tribes of Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council, composed of 11 members of 8 constituting a quorum, were present at a meeting thereof, duly and regularly called, noticed, convened and held this 12th day of November, 1996; and that the foregoing resolution was passed by the affirmative vote of 7 members, the Chairman not voting; and that said resolution has not been rescinded or amended in anyway.

Raymond Calica, Sr., Secretary-Treasurer
Karmen Blake for Gordon Cannon, Superintendent

AAC before Amendment

Calendar year	1992	1993	1994	1995	1996	1997 - 2002
*MMBF	75	70	65	60	55	(51.8 - 56.6)
*MMBF—Million Board Feet						

AAC after amendment

Calendar year	1992	1993	1994	1995	1996-2002
*AAC (In MMBF)	75	70	65	60	not less than 50.3
*AAC—Annual Allowable Cut					

Dividend, scholarship, pension subject of resolutions

Resolution 9287—Transfer of funds to Kah-Nee-Ta

WHEREAS, The flood of the winter of 1996 caused severe damage to Kah-Nee-Ta Resort with estimated restoration costs of approximately \$4,500,000 beyond insurance proceeds and other non-tribal sources; and,

WHEREAS, In addition to the economic loss due to physical damage, the village area of Kah-Nee-Ta Resort has been totally closed from the time of the flood and cannot be restored to full operations until approximately January 1998, resulting in significant loss of business to the Resort and to Indian Head Gaming Center which threatens the economic stability of these tribal enterprises; and,

WHEREAS, Kah-Nee-Ta Resort was in need of maintenance and capital improvements due to wear and tear and in order to maintain the stature and competitive position of the Resort; and,

WHEREAS, The restoration of Kah-Nee-Ta Village has been undertaken and is ongoing at the present time and the costs of such restoration will not be totally covered by insurance proceeds, funds from FEMA, and other non-tribal sources; and,

WHEREAS, There are funds appropriated for the following purposes and amounts;

Capital Projects Funds	
Vehicles	\$188,619
Buildings	110,852
Equipment	166,703
Repair Reserve	
Vehicle Major Repair	49,347
Water/Sewer	373,729
Tribal Roads	35,471
Range Improvement	13,695
Unprioritized Capital	444,206
Group Benefits Reserves	
	213,590
	\$1,596,112

which funds could be transferred for Kah-Nee-Ta purposes by the Tribal Council; and,

WHEREAS, It is necessary to re-program such funds in order to meet the 1996 payments on the costs of Kah-Nee-Ta Village restoration and to maintain operations at Kah-Nee-Ta; now,

BE IT RESOLVED, By the 20th Tribal Council of the Confederated Tribes of Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (t) of the Constitution and By-Laws, as amended, and Ordinance No. 67, that the amount of \$1,596,112, previously appropriated for the purposes described above are hereby transferred for expenditure for restoration, operations and capital of Kah-Nee-Ta in the calendar year 1996.

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 9 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 30th day of October, 1996, and that the foregoing resolution was passed by the affirmative vote of 7 members, 1 member opposed and the chairman not voting, and that said resolution has not been rescinded or amended in anyway.

Raymond Calica, Sr., Secretary-Treasurer
Gordon Cannon, Superintendent

Resolution 9293—Special Dividend Payment

WHEREAS, The Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon has considered the economic conditions of the community; and,

WHEREAS, Current economic conditions, and especially on the Warm Springs Indian Reservation, have resulted in economic hardship for many families and individual members of the Confederated Tribes of the Warm Springs Reservation of Oregon; and,

WHEREAS, Such economic conditions necessitates the Tribal Council provide for a special per capita distribution to the enrolled members of the Confederated Tribes of the Warm Springs Reservation of Oregon without any withholding for financial obligations to the Confederated Tribes of the Warm Springs Reservation of Oregon; and,

WHEREAS, The financial position of the Confederated Tribes will need extremely careful management in the years to come to accomplish specific goals of economic development, community facilities, housing and credit needs; now, therefore,

BE IT RESOLVED, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon that in accordance with authority granted in Article V, Section 1 (t), as amended, of the Constitution, and Section 8 of the Corporate Charter, a special per capita distribution is hereby authorized in the amount of \$750 dollars for each eligible member who appears on the roll as of December 10, 1996 and that the current year's budget is hereby amended in the amount of \$2,792,250 to cover such payments; and,

BE IT FURTHER RESOLVED, That this special per capita be distributed on December 18, 1996 and be directly to all members, with the following conditions:

a. Individual members that need their money programmed; Such money shall be deposited into their Individual Indian Monies account for supervised expenditure if, in the Superintendent's opinion, this is in the best interest of the people involved.

b. Those members that are delinquent in their indebtedness to the Confederated Tribes shall receive a memorandum reminding them of

such delinquency and urging them to voluntarily take action to bring such indebtedness current to preserve the overall economic health of the Confederated Tribes.

BE IT FURTHER RESOLVED, That any future special dividend payments are clearly expected to be reduced in order to protect financial status of the Tribe and relieve the dependencies created by the special dividend payment

CERTIFICATION

The undersigned as Secretary-Treasurer of the Confederated Tribes of the Warm Springs Reservation of Oregon, hereby certifies that the Tribal Council is composed of 11 members, of whom 10 constituting a quorum were present at a meeting thereof, duly and regularly called, noticed, and convened and held this 27th day of November, 1996, and that the foregoing resolution was passed by the affirmative vote of 8 members, 1 member abstaining, the chairman not voting, and that the said resolution has not been rescinded or amended in anyway.

Irene Wells for Raymond Calica, Sr., Secretary-Treasurer
Marjory Hyde for Gordon Cannon, Superintendent

Resolution 9291—Scholarship Trust Fund

WHEREAS, The Tribal Council has established the Warm Springs Scholarship Trust Fund for the purpose of providing assistance to Tribal members in obtaining education; and,

WHEREAS, It is the stated policy of Tribal Council that the fund be managed with the objective of becoming self-sustaining; and,

WHEREAS, The Tribal Council has reviewed the anticipated revenues of the Education Scholarship Trust Fund and the amounts needed to provide for scholarships for Calendar Year 1997; and,

WHEREAS, The amount of \$500,000 is recommended for expenditure for the purpose of providing higher education and \$100,000 is recommended for providing vocational education scholarships for the Calendar Year 1997; and,

WHEREAS, The recommended expenditure of \$600,000 from the fund is consistent with the long term objective of the fund; now, therefore

BE IT RESOLVED, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of

Oregon, Pursuant to Article V, Section 1 (t) of the Constitution, that an amount not to exceed \$600,000 is hereby authorized for expenditure from the Scholarship Trust Fund for Calendar Year 1997.

APPROVED December 27, 1996—10 present; 9 voted yes; chairman did not vote.

Signed by Irene Wells for Raymond Calica, Sr., Secretary-Treasurer

Marjory Hyde for Gordon Cannon, Superintendent

Resolution 9290—Senior Citizen Pension Fund

WHEREAS, The Tribal Council has established the Warm Springs Senior Citizen Pension Fund for the purpose of providing payments to Tribal Members who have attained the age of 60; and,

WHEREAS, It is the stated policy of the Tribal Council that the fund be managed with objective of becoming self-sustaining; and,

WHEREAS, The Tribal Council has reviewed the anticipated revenues of the Senior Citizen's Pension Fund and the estimated amounts needed to provide for pension payments in the future; and,

WHEREAS, The recommended benefit payments for Calendar Year 1997 ranges from \$285 per month at age 60, graduated at \$10 per month for each year of age to a maximum of \$335 per month at age of 65 and above; and,

WHEREAS, The recommended expenditure of \$667,350 from the fund is consistent with the long term objectives of the fund; now, therefore

BE IT RESOLVED, By the Tribal Council of the Confederated Tribes of the Warm Springs Reservation of Oregon, pursuant to Article V, Section 1 (f) of the Constitution, that an amount not to exceed \$667,350 is hereby authorized for expenditure from the Senior Citizen Pension Trust Fund for Senior Citizens Pension for Calendar Year 1997.

Approved November 27, 1996—10 members present; 9 voted yes; Chairman did not vote

Signed by Irene Wells for Raymond Calica, Sr., Secretary-Treasurer

Marjory Hyde for Gordon Cannon, Superintendent

Across the Wire....

Push exists to eliminate all gambling

MADISON, Wis. (AP)—Gambling opponents say they will mount another push to eliminate the state lottery and curb tribal gaming operations in the next legislative session, although they admit winning passage won't be easy.

"I don't want to sound too pessimistic, but I have my doubts. I doubt whether a majority of the Legislature would support (eliminating gambling) at this time," said Sen. Fred Risser, D-Madison, who has proposed abolishing the state lottery and with it the legal justification for Indian gaming.

Risser plans to introduce a resolution in the new session, which starts in January, to begin the process of repealing the 1987 amendment to the state Constitution that legalized the lottery.

Because a federal judge later used that amendment as the legal grounds for permitting Indian casinos in the state, Risser said repealing the lottery amendment also would shut down the casinos.

Hotel sued, again, for alcohol-related death

BETHEL (AP)—A second lawsuit has been filed against a local hotel for the alcohol-related death of a patron, and Native leaders say a "cycle" of violence prevails at some unscrupulous inns.

"People can no longer take advantage of other people because they cannot take care of themselves, due to their addiction to alcohol," Myron Naneng, head of the Association of Village Council Presidents, told the Tundra Drums newspaper.

In a letter Oct. 24 to Bethel's city manager, Naneng joined the Yukon-Kuskokwim Health Corp. in asking city help to "end this cycle of violence and death against our people in these hotels."

The council said efforts to collect damages from the hotels has been thwarted because the businesses lack sufficient insurance.

The issue was addressed at a city council meeting Nov. 12, when Mayor Ruth Richardson proposed an ordinance requiring all local lodgings to carry at least \$1 million in general liability insurance.

The ordinance will be voted on later. The Drums reported Thursday that Bethel's Village Motel was the target of a lawsuit brought by the family of a woman

who died there two years ago. Sen. Robert Welch, R-Redgranite, said he will propose legislation to curb Indian gaming by requiring the Legislature to ratify all state-tribal gaming compacts.

He also is considering legislation "to just shut these casinos down" by prohibiting the governor from negotiating gaming compacts with tribes.

But Welch, like Risser, acknowledges support for such measures likely will be scarce.

"It's a tough political vote for some people in the Legislature," Welch said. "It's an issue a lot of politicians would not want to take a position on at all."

The lottery has fallen on hard times in recent months on two fronts.

First the state announced the lottery tax credit this year would be at all-time low of about \$100.

Then a Dane County judge ruled that the credit was unconstitutional and barred the state from disbursing the lottery tax credit under current rules.

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Tribe declares war on reservation violence

FORT HALL, Idaho (AP)—Something discovered recently on the Shoshone-Bannock Reservation has been declared contagious and is expected to spread to surrounding areas.

That discovery is an enormous desire to heal the hurt and violence in the community. Don Coyhis, founder of White Bison, a healing program, said the process causes a ripple effect that is felt by cities all around.

He spent a Friday and Saturday doing core group training with more than 50 Fort Hall area residents. They are men and women of many races who have volunteered to be soldiers in the tribes' recently declared war on violence.

The Community War on Violence group held its first meeting last March. The 39 people attending identified 53 causes of violence on the reservation. They ranged from broken homes, to loss of tradition and culture to neglect and denial.

The following month, the group condensed the list down to the three most pressing causes of violence. They are drugs and alcohol, lack of education and parenting skills and the need to update the tribal law and order code.

The Fort Hall Business Council adopted

an ordinance in May that declared war on violence and pledged support in the fight against it.

Several Fort Hall men showed their support by attending the Native American Men's Gathering in Pike National Forest, Colo. That is where they met Coyhis, a member of the Mohican Nation from Wisconsin.

"I spent 15 years in business before a vision of the white bison led me to this destiny," he said.

"The white bison means you are being called for something and a series of coincidences showed me that I was to help in healing the violence in Native American communities."

His program has been in use successfully since 1992 at the Passamaquoddy Tribe in Maine. Vera Francis, a tribal member there, visited Fort Hall in October to talk about the positive things that have happened there since the program started.

She said action groups have acquired a television station where tribal members produce their own programs. A group called Native Brothers opened a gym for tribal members and established a junior anti-drug group called Little Eagles.

Embassy status sought for Indian tribes

ALBUQUERQUE, N.M. (AP)—Navajo Nation President Albert Hale has sent President Clinton a holiday wish list: embassy status for tribes, nonvoting seats in Congress, Cabinet status for the Bureau of Indian Affairs and mandatory funding for Indian programs.

In a letter this week to Clinton, Hale said the first four years of the administration were long on photo opportunities and rhetoric about treating Indian tribes as sovereign equals.

"I have greater expectations of this second term," said Hale. "I don't want any more of these meetings where we meet and do photo opportunities and we all feel good and nothing gets accomplished... We need to step beyond the rhetoric."

Hale acknowledged he may not get his request, but said: "I'm not going back (to Washington) for any more of these meetings. They're going to have to be real substantive meetings."

Granting Indian tribes embassy status would make them equal to sovereign nations in other parts of the world and would lead to a change of attitudes.

Roy Bernal, chairman of the All Indian Pueblo Council in Albuquerque, said Hale's comments reflect a general consensus in Indian country.

"It's true that (Clinton) hasn't really fulfilled the things he's said," Bernal said. "It's been disappointing."

Clinton met in Albuquerque shortly before the general election with Hale, Bernal

and the leaders of 20 of the 21 tribes in New Mexico. Clinton told the tribal leaders he believes in the principle of sovereignty, the unique legal status of American Indian nations.

In 1994, Clinton held a historic meeting with Indian leaders at the White House and a "listening conference" attended by Cabinet secretaries in Albuquerque a month later. He also refused to sign a budget last year that included deep cuts in funding Indian programs.

Hale's letter seeks more. He wants the president to make the BIA, now under the Department of Interior, a Cabinet-level agency to give Indian leaders direct access to a Cabinet secretary. Under the current system, tribes take concerns to an assistant Interior secretary.

Bernal has recommended that Interior Secretary Bruce Babbitt appoint a deputy or liaison to deal with the concerns of tribes. He also has asked Babbitt to replace Ada Deer, assistant secretary for Indian affairs, because she has shown a "total disregard to the consultation process with tribes."

Hale wants Clinton to move money for Indian programs from the discretionary category to the entitlement category, meaning such services as housing, education and health care that have been pledged in treaties would be automatically funded.

"That way, we don't have to run back and forth to Washington reminding the bureaucrats and the leadership that these are legal obligations that must be funded," Hale said

Native use of medicinal plants subject of book

DETROIT (AP)—What started as a grad school curiosity about medicinal uses of plants has turned into a 25-year study and the expected publication of a University of Michigan professor's third book on plant uses.

"Native American Ethnobotany" will document the ways Indians used 2,600 plants for medicine, food, fiber and dyes.

Professor Daniel Moerman, who works at the university's Dearborn campus, wrote "American Medicinal Ethnobotany" in 1977, listing 4,869 plant uses, and "Medicinal Plants of Native Americans" in 1986, providing 17,634 uses.

He told the Detroit Free Press for an article recently that he has studied and written about Indian uses of plants for 25 years.

"The fateful day was when I said to myself, 'Gosh, I wonder if anybody else uses this stuff?' There was really no good way to find out," he said.

Moerman set out to search through obscure journals and references for mentions of how Indians used indigenous plants in healing.

Then Moerman became intrigued as to why certain plants were chosen. With a National Science Foundation grant,

Moerman expanded his work to 47,000 uses, including medicines, foods, fibers and dyes.

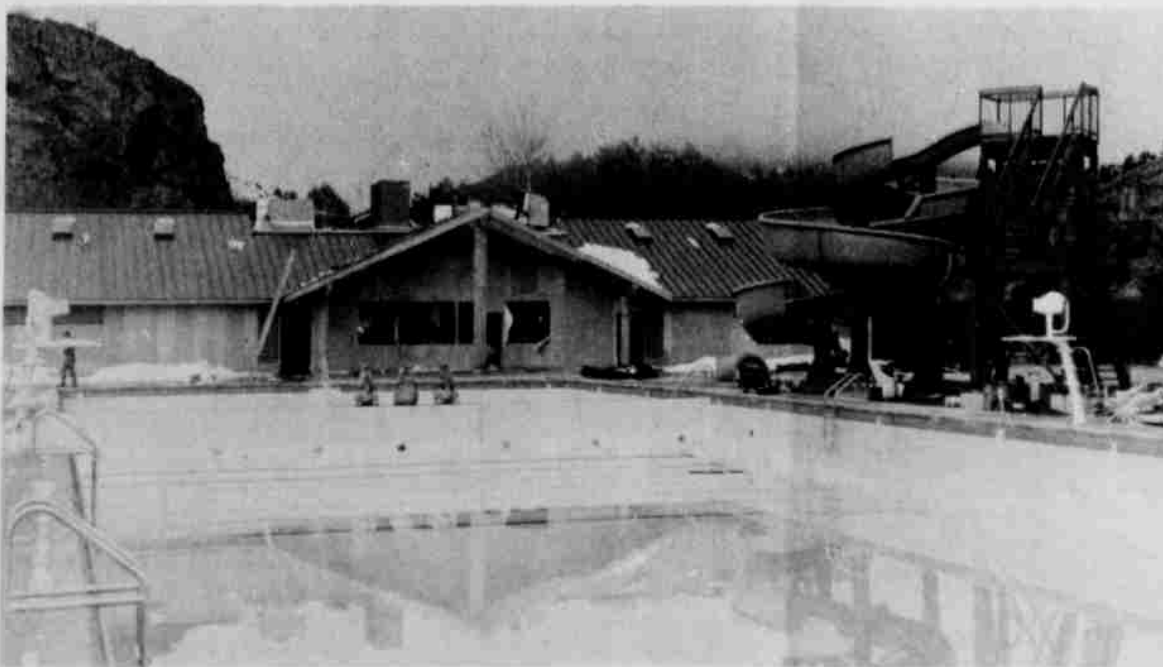
Moerman said he has yet to learn of an indigenous plant with medicinal potential today that was not used by Indians, although not necessarily for the identical purpose.

And some applications are the same. For example, Indians used coneflower to treat sore throats and it is popular in health food stores as a treatment for cold symptoms, he told the newspaper.

Timber Press Inc. plans to publish "Native American Ethnobotany" in 1997. But before it is published, Moerman and officials at the Dearborn campus are trying to raise \$50,000 to give copies of the books to Indian groups. Moerman told the newspaper he wants to give back information to the people with whom it started.

The book makes browsing easier and may lead to closer scrutiny by researchers looking for new medical applications of plants, said Dale Johnson, editorial director of Timber Press.

"It is a good starting point for the investigation of plants that may have been overlooked," Johnson said.



Construction work at Kah-Nee-Ta Village is in full swing and the Village's newest feature, the water slide, is in place. Kah-Nee-Ta Resort is offering public tours of the area while construction is underway. Tours are available Mondays throughout December and begin promptly at 10 a.m. Visitors can check in at the Village gate and park in the day use area. Tours last about one hour.