

Businessman appointed to top position

Famous Dave to head BIA team

EDINA, Minn. (AP) - Dave Anderson said he just kept cooking ribs while awaiting confirmation to head the Bureau of Indian Affairs.

It took months, but now the man behind Famous Dave's restaurants is eager to drop the apron and head to Washington. Among his goals: resolving a long-running lawsuit over the government's mismanagement of an Indian trust fund, and gaining the trust of the nation's tribes.

Anderson is the first to say he was surprised that the Bush administration called on him to take over the BIA, which is responsible for managing almost 56 million acres of land held in trust for American Indians.

"I'm not a tribal leader. I'm not a bureaucrat. I'm not a historian or an attorney. I've pretty much been in business my whole life," said Anderson, a Choctaw and Chippewa and an enrolled member of the Lac Courte Oreilles Lake Superior Band of Ojibwa.

Many people have questioned why he would want to oversee the much-criticized agency, Anderson said. He says he considers it an obligation, after his own success following bankruptcies, alcoholism and substance abuse.

In an interview with The As-

sociated Press at his Edina home, where he sat amid bric-a-brac that included a giant Elvis figurine and a large collection of rock-and-roll memorabilia, Anderson was thoughtful and deliberate in fielding questions about his new role.

The trust fund lawsuit, which alleges the Interior Department mismanaged billions of dollars owed to more than 300,000 American Indians, is an opportunity to establish trust between tribes and the government, Anderson said.

"That is something that does need to be settled, and I'm hopeful we can get that done during this administration because we really need to address the responsibility the BIA has so that this never happens again," he said.

Anderson would not discuss another lawsuit - calling it a policy question - that seeks \$25 billion from the federal government on behalf of perhaps thousands of Indian students allegedly abused at BIA boarding schools around the country.

Yet when asked if he thought abuse occurred, Anderson said yes. His own father, he said, was whipped as a child with switches for speaking his language at a BIA boarding school in Lawrence, Kan.

Anderson has been in busi-

ness since he was 18, including selling wholesale plants to florists in Chicago and traveling the powwow circuit selling homemade jewelry alongside his mother's fry bread stand. From those beginnings, he went on to serve as chief executive for his Lac Courte Oreilles Band and co-founded Grand Casinos Inc., the former casino management company for the Mille Lacs Band of Ojibwe in central Minnesota.

But he thinks Washington will be one of his biggest challenges.

"I'm a business person and I'm used to getting things done," Anderson said. "It remains to be seen how much the political atmosphere in Washington, D.C., will let me get things done."

Anderson says he'll bring a team approach to the BIA, visiting tribes to ask for their input and support for his agency.

"As an organization we need to be spending more time with our constituents. We need to establish better lines of communication," he said. "The BIA would not exist if it wasn't for Indian tribes and I think we need to understand that."

He said tribes need to take advantage of Indian gambling and invest casino profits in diversifying tribal enterprises and providing education for tribal members. Tribes that have be-

come highly successful, he said, are the ones that took action to be self-governing and created economic infrastructures that put a high priority on education.

"There are the other tribes who are still looking for people to do things for them," Anderson said.

On a personal level, Anderson takes pride in his LifeSkills Center for Leadership, a center he started for at-risk Indian youth, which was recently recognized on Oprah Winfrey's show. A framed letter from Winfrey sits on Anderson's kitchen counter.

Anderson, an avid fan of motivational speaker Zig Ziglar, recently finished his own self-help book, "Famous Dave's LifeSkills For Success." Anderson said he would work hard and be positive.

"I really feel that the major problem that we have in Indian Country, which is one of the major reasons why we have high unemployment, a high suicide rate, a high dropout rate is because we have young people growing up without any hope," he said.

"They don't believe they can be successful in this environment. And I'm hoping that my life story of being able to overcome the challenges that I've had will serve as a role model."

State wants to eliminate tax free cigarette sales to non-Indians in New York

SYRACUSE, N.Y. (AP) - New York state could have collected up to \$388 million in excise taxes and an estimated \$48 million in sales taxes on cigarette sales by Indian vendors in 2002, a newspaper has concluded.

The Post-Standard of Syracuse, which obtained sales figures recently under a Freedom of Information Law request, said Native American stores sold nearly 28 million cartons of tax-free cigarettes last year.

According to the state Department of Taxation and Finance figures, businesses on Indian territories in New York have sold 168 million cartons of untaxed cigarettes since 1996, when Gov. George Pataki first proposed taxing Indian tobacco sales to non-natives.

The figures also show that tax-free cigarette sales by Native American stores accounted for approximately 30 percent of the cigarettes sold in New York in 2002.

And in the first nine months of 2003, Native American stores sold 26.2 million cartons of tax-free cigarettes, putting them on a pace to sell 35 million cartons this year.

The Seneca Nation in western New York, where independently owned businesses sell cigarettes in retail shops and over the Internet, sold 14.5 million cartons of tax-free cigarettes in 2002, more than every other Indian nation combined. But tax department spokesman Tom Bergin said state officials believe a "majority" of the Indian cigarette sales gets shipped out of state.

The state Legislature in May passed a bill requiring Pataki to

begin taxing cigarette and gasoline sales by Native American businesses to non-Indian customers. Distributors would pay the taxes upfront before the products reach the reservations.

The state has been under pressure from the New York Association of Convenience Stores to tax cigarette sales by Native American stores to tax the Indian sales. The Legislature has also been casting around for untapped sources of state revenue in the wake of the recession and economic losses from Sept. 11, 2001.

The Pataki administration dropped a 1996 attempt to collect the taxes after violence started to flare up on Indian lands.

Then, as now, Indian nations have complained that the tax-collection regulation - which would take effect after March 1 - violates their sovereignty. They also claim the plan would be financially devastating to their reservations, since non-Indians would have no incentive to patronize their businesses.

In 1994, the U.S. Supreme Court ruled that New York could tax cigarette sales by Native American stores to non-native customers.

On Monday, a federal appeals court made much the same ruling in a case involving Rhode Island's attempts to collect state tobacco taxes from its Indian vendors.

Non-Indian stores generally charge \$15 to \$25 more per carton of cigarettes than stores on Indian territories.

The state excise tax has been \$15 per carton since April 3, 2002.

Sioux hope to coordinate events

Millions of tourists expected to trace history in coming year

MARTY, S.D. (AP) - The Yankton Sioux Tribe and area communities are trying to cooperate on events tied to the bicentennial anniversary of the Lewis and Clark expedition in the next three years.

"We would like a cooperative effort and not just have each tribe or community do this piece by piece," said Robert

Cournoyer, chairman of the Yankton Sioux Tribal Tourism Association (YSTTA). "There will be millions of people traveling the Lewis and Clark Trail. If we can capture just a small percentage of them, it will be a boon," Cournoyer said.

The YSTTA is working with the National Park Service on projects, said John Beheler, a YSTTA member who serves as Marty High School principal.

"Tourism is not new to the tribal nature. We are teachers and story tellers, so this is nothing new as far as tourism goes.

We are always trying to sell a vision," he said.

Indians have become the focal point of South Dakota's signature event, making the effort unique in the nation, said Cindy Tryon of the South Dakota Office of Tourism.

"Other states have planned and then invited tribes to be part of their events. But in South Dakota, the tribes have organized our Signature Event and have made it their event," she said. Indians must be prepared for travelers who don't understand their culture or traditions,

particularly around sacred sites, and many well-meaning visitors will ask ignorant questions, she said. One of the Indian sites, Spirit Mound north of Vermilion, will remain an important part of the Lewis and Clark commemoration, said Vermilion Mayor Roger Kozak.

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Lands obtained for monument

EADS, Colo. (AP) - A casino management company has given to the Cheyenne-Arapaho Tribes of Oklahoma the deed to what will become the heart of the Sand Creek Massacre National Historic Site.

However it will take another act of Congress, and perhaps the purchase of more land, before the monument becomes a reality on the land 180 miles south-

east of Denver, National Park Service spokesman Rick Frost said Monday.

Congress has authorized the creation of the monument, but another act is required to place the deeded land in trust before the Park Service may legally manage it with tribes and the Colorado Historical Society.

"We are working hard to make sure this site is online soon

because it tells a part of our national story that people really need to hear," Frost said.

On Nov. 29, 1864, about 700 Colorado militiamen killed more than 163 Cheyenne and Arapaho Indians in a raid on their camp at the site. Most of the victims were women, children and elderly men, and Congress determined the attack was unprovoked.

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