

Artifacts may date to earliest Indians of Rio Grande Valley

HARLINGEN, Texas (AP) - Archaeologists have discovered a cache of artifacts near South Padre Island they say could be up to 5,000 years old, potentially providing new clues about early peoples of the Texas coast.

The items, found in a protective clay dune about 6 feet underground, appear to be part of a fishing camp for a nomadic group of hunter-gatherers, archaeologist Robert Ricklis said. They include fragments of shell tools, chipped flint projectile points, and a fish carbone, or otolith, that can be analyzed for information about the bay environment of the time.

Ricklis said the find was significant because so little is known about the ancient Rio Grande Valley. Most early manmade items would have been eroded by sand and sea air, or washed out by the ever-changing course of the waterways of the Rio Grande basin near the Mexican border.

"We don't have a chronology for the Rio Grande Delta," said Ricklis, who works for Corpus Christi-based Coastal Environments Inc. "We really have no idea of what the culture's prehistory was."

The artifacts were found in May during an archaeological survey by Coastal Environments of the Bahia Grande, a 6,000-acre lowland between Brownsville and Port Isabel. The survey was required before the U.S. Fish & Wildlife Service proceeds with plans

to restore wetlands lost to the digging of the Brownsville Ship Channel during the 1930s.

Geologists say the Gulf of Mexico once reached as far west as Starr County and the Mexican state of Coahuila. Paleo-Indians - the term for ancient peoples who roamed the Southwest - may have seen the Gulf's final rise and retreat about 10,000 years ago, said Tony Zavaleta, an anthropologist at the University of Texas-Brownsville.

Ricklis said he believes the artifacts come from a later group of peoples who belonged to the archaic period, 7,500 B.C to 750 A.D., which is characterized by grinding tools and certain types of projectile points.

The artifacts have not yet been carbon dated, so Ricklis bases his estimate on the shape of the projectile point and what's known about the Laguna Madre, the bay between South Padre Island and the mainland. He said the items were at least 1,000 years old, and he believes more study will determine they are even older than that. He has recommended more digging be done.

Zavaleta agreed that the area is one of the most historically significant, yet neglected, sites in Texas.

Andrew Elliott Anderson, one of the few archeologists to concentrate on the area, documented nearly 400 Indian site locations between 1908 and 1944.

When the ship channel was being dug, Anderson scooped artifacts that

fell from the mud, including fossil fragments of mammals from the Pleistocene era (1.5 million to 11,000 years ago) and a bright red pot with the cremated remains of a child.

Anthropologists know roaming groups such as the Coahuiltecos regularly visited the area to hunt, fish and gather fruits and berries, and that by the time Spanish explorers arrived, there were thriving villages. But scientists know little about earlier peoples.

"Once you get to five thousand and beyond that you get into a whole different type of archaeology," Zavaleta said.

Tom Hester of the University of Texas-Austin, considered the authority on South Texas archaeology, said the early days of the Rio Grande Valley are full of mysteries, including evidence of cemeteries for otherwise wandering peoples.

"Why did they return to a special site to bury the dead? Was it their way of defining territory?" he asked.

U.S. Fish & Wildlife has decided to move at least one of the planned flooding channels so as not to disturb the site.

"We want to take a more detailed look at it to make sure there wasn't something missed," said John Wallace, manager of the Laguna Atascosa National Wildlife Refuge.

"The intent is to find a spot free of artifacts."

Former tribal official's trial begins

DEL RIO, Texas (AP) - The former head of the Kickapoo tribe's health care program is accused of stealing money and laundering checks, a prosecutor says in the woman's federal trial.

Assistant U.S. Attorney Bill Harris told jurors in his opening statement last week that Maricela Mendoza allegedly wrote phony checks to Mexican doctors, to a variety of vendors, and even to herself, some as large as \$15,000. Harris said she converted many of these at a check-cashing outlet in Eagle Pass.

But Greg Torres, Mendoza's defense lawyer, said the 48-year-old woman is liable only for sloppy record-keeping and caring too much about her Indian clients. He said the Kickapoo Indians, who live in Maverick County and northern Mexico, have unusual health care needs, and meeting them came at a personal cost to Mendoza.

Mendoza, former director of Kickapoo Community Health Services in Eagle Pass, was arrested in November on accusations that she stole about \$259,000 from the program over a two-year period ending in October 2002.

Land transfer to restore sacred sites

ACOMA PUEBLO, N.M. (AP) - Interior Secretary Gale Norton announced a land transfer last week to return sites considered sacred and minerals rights to the Pueblo of Acoma.

Norton visited the Pueblo's Sky City to return the deeds to mineral rights on more than 74,000 acres of land.

"The deeds do more than restore sacred ground. This action represents the respect President Bush and I have for tribal sovereignty. The transfer represents our continued commitment to renewing the living legacies of Native Americans in New Mexico and across the nation," Norton said.

Acoma Pueblo Gov. Fred Vallo Sr. accepted the deeds saying the land is of profound spiritual meaning and has been divided in ownership between the people of Acoma and a private company.

"Today, the federal government has righted a great wrong, made our land whole and ensured that we will be able to protect the lands and sites that have been sacred to our people from time immemorial," he said.

Vallo thanked former Rep. Joe Skeen, who died last year, for sponsoring the legislation a few years ago to transfer the land back to the pueblo.

He also thanked New Mexico's current congressional delegation for supporting the bill.

Tree-thinning wood to go to Pine Ridge

RAPID CITY, S.D. (AP) - Wood from tree-thinning at Mount Rushmore National Memorial is being given as winter fuel for the Pine Ridge Indian Reservation.

Staff members from the National Park Service said they would load and stack the wood on trucks and a trailer and deliver it on Friday in the Eagle Nest District. More wood could be delivered Monday.

The Park Service is thinning trees to make the forest safer from wildland fires, said Duane Buback, park facility manager at Mount Rushmore. The ponderosa pine timber and slash were sorted for use as fuel. "We wanted to put it to good use," he said.

"It's this year's cut, and it needs to dry out and cure," Buback said.

Six cords of wood were to be hauled to the reservation. A cord of wood is 4 feet wide, 4 feet high and 8 feet long. Reservation officials say the wood could help at least 18 families and will assist people who sometimes must choose between feeding their children and buying propane.

Native remains found at park

AU GRES, Mich. (AP) - Two sets of human bones unearthed at an Arenac County Park appear to belong to the same person, who may have been a Chippewa from the time that the Indian tribe occupied the area, officials say.

Forensic anthropologists examined the second set of remains this week - a partial skull and some foot bones - and said they are consistent with American Indian bone structure and the period during which Chippewas lived in Arenac County.

An excavator found a first set of bones, a leg and jaw, on Oct. 14 at the county-owned beach site near Au Gres.

The sheriff and his deputies unearthed the second set the following day. Anthropologists from Michigan State University identified both sets as belonging to a child about 4 to 6 years old and determined the bones were old enough to correspond with the region's American Indian settlements.

Pawlenty has figure for tribes to ponder: \$350 million

ST. PAUL (AP) - Gov. Tim Pawlenty has a dollar amount to go along with the pressure he has been exerting on Indian tribes to share some of their gambling profits: \$350 million.

In a letter sent to tribal leaders Oct. 12, Pawlenty asked them to meet with him on Oct. 27 to discuss a new agreement that would, for the first time, require Minnesota tribes to turn over a portion of their gambling revenues to the state.

The figure Pawlenty suggested amounts to one-fourth of the tribes' casino profits, according to his administration.

Pawlenty is developing other options if the tribes refuse, Dan McElroy, his chief of staff, said Thursday. McElroy met two weeks ago with representatives of three major casino concerns in Las Vegas: Harrah's, MGM Grand and Mandalay Bay. They are "very interested in Minnesota," he said.

Several tribal leaders said they are not going to attend the meeting with Pawlenty.

"The governor knows full well where

this community stands," said Helen Blue-Redner, chairwoman of the Upper Sioux Community. "He's trying to use this as a de facto tax on tribes. This is not allowed within the bounds of the Indian Gaming Regulatory Act of 1988, and he knows it."

In return for the \$350 million payment, tribes would be given exclusive casino gambling rights for a "time period to be agreed upon," the letter said. Pawlenty proposes that the tribes receive a written guarantee of exclusivity.

To put the dollar amount in perspective, \$350 million would be more than half the amount that all corporations in Minnesota were projected to pay in corporate income taxes for 2004. It is more than the amount generated by the motor vehicle sales tax charged on all vehicles sold in the state.

Since 1989, tribes have operated under compacts negotiated with Minnesota that gave them the right to casino gambling but did not specifically guarantee exclusivity. The tribes have always argued that exclusivity was im-

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plied, a point the governor disputes. The compacts had no termination date.

John McCarthy, executive director of the Minnesota Indian Gaming Association, said the tribes viewed the letter "not as an invitation, but more like a summons. That's not very good protocol for government-to-government relations."

He said the tribal leaders are sending individual responses to Pawlenty, but "I'm not aware of anyone from our association who's going." The association is made up of nine of the state's 11 tribes and includes those with the most lucrative casinos.

McCarthy called the request for

\$350 million a year "laughable," and said, "there isn't that kind of money here."

The offer, he said, "isn't real negotiation. I think he's made up his mind he wants Vegas in Minnesota, and all of this is just window dressing."

A recent Minnesota Lottery report estimated total wagers for casino gambling in the state at \$10 billion annually, and \$350 million is the administration's calculation of what 25 percent of net profits would be for the industry in Minnesota.

McElroy said the administration considers its offer "fair and reasonable." The 25 percent figure is one used in several states, he said, and in New York, the federal Bureau of Indian Affairs ruled that "exclusivity has value."

McElroy said that in his meeting with officials from the various casinos, he was told they would not lobby the state directly but would be interested in submitting a "request for proposal," which would be the beginning of the bid process for casino development.

Washington addresses Indian law in bar exam

SEATTLE (AP) - The Washington State Bar Association has decided to address American Indian law in the state bar exam beginning in the summer of 2007.

The addition will make Washington the second state after New Mexico to address tribal issues in its bar exam.

The association's 12-member Board of Governors made the decision Friday at a meeting in Richland after nearly three hours of discussion. The panel unanimously concluded that future lawyers must grasp the basics of tribal sovereignty to practice law in this state.

The unanimous vote "was my biggest shock," said Seattle attorney Gabe Galanda, a member of California's Round Valley Indian Confederation and

immediate past president of the Northwest Indian Bar Association.

Galanda has been pressing for the addition of Indian law to Washington's bar exam since New Mexico made the change in 2002.

The vote in Richland "was a fundamental recognition of tribal sovereignty," he said. "I was almost brought to tears."

The state bar will work with law schools and companies that offer bar-exam preparation courses to ensure the issue is addressed, Galanda said.

"I credit the non-Indian bar ... for carrying the water," he said. "Tribal lawyers brought it to their attention and, ultimately, it was the general bar that decided this was good policy."

Russell Means arrested at Pine Ridge

RAPID CITY, S.D. (AP) - Authorities arrested American Indian activist Russell Means, 65, last Saturday for failing to appear in federal court a day earlier to deal with some traffic tickets.

Means, one of two candidates for president of the Oglala Sioux Tribe in the Nov. 2 election, was ready to appear at a student rally at Billy Mills Hall in Pine Ridge when "four cops and a (criminal investigator) come in asked him to step outside," said Eileen Janis, who is a candidate for tribal vice president.

He was freed on bond three hours later after friends drove to Manderson to buy a \$510 money order. After his release, Means said, "There's no excuse, I was just campaigning too hard." Means said he is pleading not guilty to five traffic tickets issued in Badlands National Park earlier this year.

States bet on gambling in tough economic times

SEATTLE (AP) - California and Washington state are in the midst of a high-stakes, election-year showdown with American Indian tribes over casino gambling. Voters in both states will decide Nov. 2 whether to take a bite out of tribal casinos' business by expanding non-tribal gambling to boost state revenues and provide tax relief. Both sides are spending heavily to defend their turf.

Four other states have gambling measures on the statewide ballot this year - an attempt to cash in on the soaring popularity of gambling following a decade that saw a rapid expansion of Indian casinos around the nation.

Experts say gambling money looks like a sure bet to initiative sponsors in lean economic times - whether their goal is lowering taxes, improving education or simply shoring up a weak state budget. "Gambling is a very popular way to go, very well accepted," said Las Vegas political consultant Nancy Todd Tyner, who has worked on pro-gambling issues across the country. "When you have budget shortfalls, it's a very easy fix."

In Washington state, voters will decide on a ballot initiative that would allow up to 18,000 slot machines across the state. The populist twist is that the 35 percent tax on the machines would pay for property-tax reduction.

Washington tribes have spent more than \$5 million to defeat the initiative, supported by a broad coalition of civic and church leaders. A recent poll showed voters about evenly split.

Down the coast in California, voters will decide on two competing gambling measures, but the smart money is on both failing. Proposition 68 would force tribes to pay a quarter of their slot machine revenues to local governments. If the tribes refused to pay, the state would let other businesses operate up to 30,000 slot machines, taxed at 33 percent.

Proposition 70, which is being pushed by a handful of casino-operating tribes, would expand tribal casinos from small-scale gambling parlors to full-fledged Las Vegas-style casinos, complete with table games such as craps and roulette. Proposition 68 proponents pulled back support of the measure recently, citing confusion between the two proposals.