

Indians challenge county voting system

CHEYENNE, Wyo. (AP) — A federal lawsuit filed last week by five American Indians challenging the system of at-large elections in Wyoming's Fremont County is part of a continuing, nationwide effort by Indians to assert their voting rights, attorneys say.

Five members of the Eastern Shoshone and Northern Arapaho tribes charge that Fremont County's system of at-large elections dilutes the Indian vote. Although nearly 20 percent of Fremont County's 35,800 residents are Indian, none of the five county commissioners is Indian.

The plaintiffs are represented by local lawyers and Atlanta lawyers with the American Civil Liberties Union.

Bryan Sells, staff attorney for the ACLU's Voting Rights Project in Atlanta, said Friday the ACLU already has successfully represented Indians in challenging at-large elections in Montana and South Dakota.

"It think it's undeniable that Native Americans are really be-

coming more interested and energized about their rights to vote. And this is part of that effort," Sells said.

Sells said there are parallels between the ongoing efforts of American Indians to secure their voting rights and the efforts of black Americans in the South during the civil rights movement of the 1950s and 1960s.

"The ways to discriminate against whatever minority of voters you've got, they're pretty tried and true," Sells said. "So there are very distinct parallels between some of what is still going on in Indian Country and what happened in the South. It just happens, it's 30 years, or in some cases 20 years, later."

Fremont County Attorney Ed Newell said Friday he hadn't seen the lawsuit and couldn't comment on it. But Scott Detamore, an attorney with the Lakewood, Colo.-based Mountain States Legal Foundation who has defended against similar lawsuits in Montana, said the ACLU files such suits in small Western counties because of

their small populations — and without proof of discrimination.

"They come in, particularly the federal government, with this great big stick, and say, 'Change your system,'" Detamore said. "What often happens in these counties is that, 'It will break the treasury to defend this thing. All right, we'll change the system.'"

Fremont County voters in 1992 turned down a ballot initiative to create five separate commission districts.

The lawsuit asks U.S. District Judge Alan Johnson of Cheyenne to block Fremont County from holding any more at-large elections and to order the county to develop a redistricting plan. The plaintiffs are James E. Large, Gary Collins, Emma Lucille McAdams, Patricia Bergie and Pete Calhoun. Attempts to reach them for comment on Friday were unsuccessful.

Scott Crichton, executive director ACLU of Montana, said Friday that Indians in his state

have prevailed in similar court challenges to at-large voting.

"Essentially, what they were finding were practices not dissimilar to the Jim Crow South," Crichton said of the Montana cases. "I don't know the factual pattern in Wyoming, so I can't speak to that. But there were systematic ways of keeping Native Americans from registering and participating in the political process."

As a result of a lawsuit ending at-large voting in Montana's Big Horn County, Crichton said, Indians are now represented on the county commission and have been elected to several county offices.

And as a result of a lawsuit the U.S. Justice Department filed recently to end at-large voting in Blaine County, Mont., Crichton said, an Indian woman was elected to the county commission. The Mountain States Legal Foundation represented Blaine County and appealed to the U.S. Supreme Court. The high court in August declined to hear the appeal.

Osage Nation breaks ground on rural Bartlesville casino

BARTLESVILLE, Okla. (AP) — The Osage Nation broke ground on its new \$11 million casino in the rural hills west of the city.

Once open, the lodge-themed Million Dollar Elm Casino is expected to bring 200 jobs to the area. The casino will operate 24 hours a day and feature more than 600 gaming machines, a restaurant, bar, delicatessen and parking for more than 700 cars.

Tribal officials said Thursday that building a new casino miles out of town in an area with limited infrastructure will pay off.

One tribal councilor, Harry Roy Red Eagle, said the tribe will invest in new roads and security at the 20-acre site before the casino's completion next May.

"We're not here to take the money and run," Red Eagle said.

Jim Fram, Bartlesville Chamber of Commerce

chief executive officer, said the tribe has the backing of city officials.

"We consider tourism a major part of our economic development," he said. "The more destination things you can cluster in an area the bigger crowd it can draw."

Red Eagle sees the same potential in the site.

"The feasibility studies were very encouraging. They showed us a heavily populated area at Dewey, Bartlesville and southern Kansas ... and there is no immediate gaming site in their vicinity," he said.

The tribe worked to develop a Bartlesville casino for several years. To solidify the deal, the tribe entered into a 25-year lease with the Allen family of nearby Pawhuska and Hominy.

The Allens' allotment property came with restricted land status, making it a prime choice for the tribe's plans, Red Eagle said.

Tribe to build casino near Detroit Airport

ROMULUS, Mich. (AP) — With the roar of jet engines in the background, a northern Michigan American Indian tribe Thursday announced plans to build a \$243 million casino and hotel complex just north of Detroit Metropolitan Airport.

The Hannahville Indian Community, which already owns a casino in Michigan's Upper Peninsula, says the 24-acre complex would create 3,300 new jobs and bring in more than \$300 million in annual revenue. The tribe is partnering on the proposed casino with Sweetwater Gaming Inc. of Naples, Fla.

But the casino project faces formidable obstacles. It must be approved by the U.S. Department of Interior, which has not allowed an off-reservation casino since 2000. Then, the governor must agree to the proposal.

Gov. Jennifer Granholm "has long had serious concerns about off-reservation tribal gaming," said Liz Boyd, her spokeswoman. "Part of it involves tribes operating casinos great distances from their reservation and their governmental centers."

Boyd, however, would not comment on the Hannahville community's proposal.

Generally, it takes 2 1/2 years for a casino to gain approval from the secretary of the interior, said Gary Garrison, Bureau of Indian Affairs spokesman. Only three off-reservation casinos have been approved since they were allowed by Congress in 1988, he said.

"There's a lot of desire to do it, but there hasn't been a whole lot of success," he said.

Tribal Chairman Kenneth Meshigaud said he hopes for

quick approval from the federal government.

"We feel that this is a good project. It's in a good location and has overwhelming community support," Meshigaud said at a news conference at the site in Romulus, about 25 miles west of Detroit.

Romulus voters in 2003 passed a referendum for a new casino, with 56.6 percent in favor. Garrison said such approval would help the proposal.

Another obstacle is a bill sponsored by U.S. Rep. Mike Rogers, R-Brighton, that would ban off-reservation casinos. The measure is in the House Resources Committee and likely will have a hearing in November, said Sylvia Warner, spokeswoman for Rogers.

Casino supporters, including Romulus Mayor Alan R. Lambert, say market studies show

the new gambling site would not take money from the three casinos in Detroit or from one in nearby Windsor, Ontario.

"There's been studies done to show that there's plenty to go around," said Lambert, who added that the complex could bring the city \$15 million to \$20 million in additional property tax revenue that could be used to cut taxes.

The casino would be part of a larger complex near an Interstate 94 freeway interchange that includes a new horse track, retail mall and convention center.

Meshigaud said proximity to the airport would help the 200-room hotel and casino draw more than 5 million visitors per year to its 2,400 slot machines and 90 gaming tables. The Hannahville Indian Community, located in Wilson, has about 800 members, officials said.

Arkansas panel rejects Native American recognition, wet-dry studies

LITTLE ROCK (AP) — The prospect of Indian casinos in Arkansas prompted legislators to reject a proposal to study granting state recognition to native American tribes.

Members of the House and Senate committees on state agencies and governmental affairs also declined to study proposed legislation that would grant residents of dry counties a vote on allowing mixed-drink sales at private clubs.

Legislative committees routinely look at study proposals between sessions.

But a state Department of Finance and Administration official pricked the interest of lawmakers Thursday when he cautioned that state recognition of Indian tribes and groups could hasten federal recognition,

which could open the door to Indian casinos and smoke shops on tribal land without the state's consent.

"That has never been my intention and will not be my intention. I would not be part of anything that would further anything along that line. I do believe, however, that people have a right to be heard," said Rep. Preston Scroggin, D-Vilonia, who said he brought the proposal at the request of some of his constituents and those of colleagues in surrounding districts.

Washington historian and lobbyist Mike Lawson urged the panel to consider recognizing indigenous native American tribes of Arkansas to honor their history and acknowledge their cultural contributions to the state.

Police can't find body after reported killing

YAKIMA, Wash. (AP) — A teenager is being held for investigation in a shooting death even though police have been unable to find the body of the apparent victim.

Police called off the search for Julio Munguia, 20, on Tuesday after deploying divers, boats and planes in and around Sarg Hubbard Park and the Yakima River.

Kevin James Perez, 18, the son of Munguia's girlfriend, remained in custody for investigation of murder with bail set at \$1 million.

Police Capt. Jeffrey Schneider said investigators are convinced that Munguia was shot to death in his car Friday night after he and his girlfriend, Michelle Harris, 36, got into a fight in front of her son.

The car was found "full of blood" and bloody drag marks were found at the park after Perez told investigators that he shot Munguia when the older man began choking his mother, police said.

Boost for Makah whaling

WASHINGTON, D.C. (AP) — The House Resources Committee has given a boost to the Makah Tribe's bid to resume whale hunting off the coast of Washington state.

The panel approved a non-binding resolution urging the Bush administration to uphold whaling rights guaranteed to the tribe under an 1855 treaty with the federal government.

The resolution, sponsored by the panel's chairman, Rep. Richard Pombo, R-Calif., calls a waiver process required by the National Marine Fisheries Service "burdensome, costly and tantamount to a denial of the tribe's treaty rights."

The resolution goes on to urge Congress to express "its disapproval of the abrogation of the tribe's treaty rights, and that the government of the United States should uphold the treaty rights of the Makah Tribe."

The Republican-led panel approved the measure 21-6, with five Democrats joining 16 Republicans to vote in favor.

Five Democrats, including Rep. Jay Inslee of Washington, voted against the measure. Inslee ridiculed the resolution as a "political statement" with no legal impact, introduced by an out-of-state lawmaker.

"This effort is clearly not a

serious effort by Chairman Pombo to look into an important issue. It's just asking us to make a political statement" in favor of the tribe, Inslee said.

Inslee said he supports the tribe's treaty rights, but said he also wants to uphold the Marine Mammal Protection Act, which outlaws whaling in the United States.

The tribe is proposing to harvest as many as 20 gray whales during a five-year period, with a maximum of five whales killed in any one year.

"This is a very complicated issue and we ought to have hearings on it," Inslee said.

After the federal government removed the gray whale from the endangered species list in 1994, the Makah took steps to hunt again in waters off its reservation at the tip of Washington's Olympic Peninsula.

In 1999, tribal members killed their first whale in more than 70 years.

Animal welfare activists soon sued the tribe and its federal backers, leading to the court order that resulted in the February request for a waiver.

Rick Marks, a lobbyist for the tribe, hailed the vote as an important statement.

The Resources panel oversees Indian issues in the House of Representatives.

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