

## Judge removed from Indian trust case

Washington (AP)—Federal Judge Royce Lamberth has long been known for speaking his mind—most notably in rulings siding with American Indians in their battle with the government over their trust funds.

But Lamberth went a step too far, an appeals court said Tuesday, citing one particularly harsh decision last July in which he accused the government of racism.

In a rare move, a panel of judges from the U.S. Court of Appeals for the District of Columbia Circuit ordered Lamberth removed from the 10-year-old Indian trust case, saying he had lost his objectiv-

ity. "We conclude, reluctantly, that this is one of those rare cases in which reassignment is necessary," the judges wrote in a decision reversing two other Lamberth rulings.

When he lambasted the Interior Department in a decision last July, the government petitioned to remove him from the case, arguing he was too biased to continue.

The department, Lamberth wrote in the opinion, "is a dinosaur—the morally and culturally oblivious hand-me-down of a disgracefully racist and imperialist government that should have been buried a century ago."

Writing for the three-judge panel, Circuit Judge David Tatel said Lamberth was understandably frustrated. But the July decision—combined with eight rulings the court said were evidence of bias—went too far, Tatel wrote.

Lamberth did not immediately return a call to his office for comment.

Led by Blackfeet Indian Elouise Cobell, the plaintiffs claim the government has mismanaged oil, gas, timber and other royalties from their lands since 1887 costing them tens of billions of dollars.

Her lawsuit was filed in June 1996 and was assigned to

Lamberth, a conservative Reagan appointee from Texas. Over the past decade, Lamberth has surprised many with his severe rulings accusing the government of malfeasance and incompetence in its dealings with Indians.

The case has bounced between the district and appeals courts. Lamberth has held interior secretaries Gale Norton and Bruce Babbitt in contempt and twice ordered the Interior Department to disconnect its computers.

Many of his decisions have been overturned by the appeals court, including the contempt charge against Norton.

Lawyers familiar with Lamberth say he is known for holding the government to a high standard, a principle he developed in the U.S. Attorney's office and later as a judge overseeing wiretap warrants for the U.S. Foreign Intelligence Surveillance Court.

But they also said he had become very invested in the Indians' case.

Tatel wrote that the appellate ruling "presents an opportunity for a fresh start" and urged both sides to work on a solution.

Interior officials said they look forward to moving on.

But Cobell said the plaintiffs will appeal part of the decision.

She added: "With any new judge, we will continue to prevail."

Congress may ultimately decide the case, however.

The plaintiffs have offered to settle, and are working with Senate Indian Affairs Committee Chairman John McCain, R-Ariz., to come up with an amount.

Joining Tatel in the ruling were Circuit Judge Janice Rogers Brown, appointed by President George W. Bush, and Senior Circuit Judge Laurence H. Silberman, appointed by President Ronald Reagan. Tatel was appointed by President Bill Clinton.

## Navajo tribe handling own business site leasing

Albuquerque (AP)—The Navajo Nation now is able to sign off on business leases without Bureau of Indian Affairs review.

The Navajo Nation is no longer required to seek final approval from the BIA to develop its land or have the federal government conduct appraisals on tribal land, according to documents signed Tuesday by Navajo President Joe Shirley Jr. and Interior Department officials in Washington, D.C.

"This is the first time a Native American Nation, in this case the Navajo Nation, has been given the wherewithal to sign off on business site leases without having to take it to Washington, to the Department of Interior, for their signature," Shirley said in a news release.

The change came nearly a year after the Interior Department conducted a legal review of the tribe's business site leasing process.

The Navajo Nation processed business applications, but the BIA had been responsible for conducting land appraisals to determine the amount of rent a prospective business would pay to the Navajo Nation.

"With these new regulations, it puts the decisions in the hands of Navajo on what needs to be done, what documentation needs to be filed, and it's all governed by Navajo law," said Darren Pete, legislative association for the Navajo Nation Washington office. "It is one of the truest forms of Navajo sovereignty in history."

The Navajo Economic De-

velopment Committee has approved 31 business, but approval on their land appraisals had been held up by as long as four years, Shirley said.

"The red tape, the bureaucracy, at trying to get at business site leasing is just atrocious," Shirley said. "Getting the BIA out of the loop will go a long way toward streamlining, getting at business site leases faster. Hopefully, it will mean getting a business site lease anywhere from 60 to 90 days."

The revisions also give chapter governments with certified land use plans the authority to issue business site leases. Shirley said it is an opportunity for local governments to identify land and to plan for economic growth.

## Tribe names Abramoff, Reed in civil suit

WASHINGTON, D.C. (AP) — A Texas Indian tribe filed a federal civil suit Wednesday alleging that ex-lobbyist Jack Abramoff, former Christian Coalition leader Ralph Reed and their associates engaged in fraud and racketeering to shut down the tribe's casino.

The Alabama-Coushatta tribe of Livingston, Texas, alleged the defendants defrauded the tribe, the people of Texas and the Legislature to benefit another of Abramoff's clients — the Louisiana Coushatta tribe — and "line their pockets with money."

"Ultimately, the defendants' greed and corruption led to the Alabama-Coushatta tribe permanently shutting its casino."

The funding for economic programs evaporated, over 300 jobs were lost in Polk County and the Alabama-Coushatta tribe has spent years struggling to recover and revitalize its economy through other means," the tribe said in its lawsuit, obtained by The Associated Press.

The lawsuit also names Abramoff's ex-business partner Michael Scanlon, a former aide to former Rep. Tom DeLay, R-Texas; Neil Volz, a former aide to Rep. Bob Ney, R-Ohio; and Jon Van Horne, Abramoff's former colleague at his law and lobbying firm, Greenberg Traurig.

Although the tribe alleges Greenberg Traurig was part of the scheme, it did not name the firm as a defendant. Attorney Fred Petti said the tribe is in settlement discussions with the firm.

The tribe did not specify how much it was seeking, but asked for triple damages.

Abramoff, Scanlon and Volz have pleaded guilty in a public corruption probe involving Abramoff's former tribal clients and possibly members of Congress. The Alabama-

Coushatta never hired Abramoff.

The Alabama-Coushatta's casino, on its reservation north of Houston, was closed in 2002 by a federal court ruling in a 1999 lawsuit filed by the state's then attorney general, John Cornyn, now a U.S. senator.

The Alabama-Coushatta said Abramoff and others conspired to defeat a bill in the 2001 Legislature that would have allowed it to operate gaming on its reservation. Reed helped to rally Christians against the bill with a group he formed, Committee Against Gambling, the tribe alleged. The tribe, which says it has strong Christian values, alleges Reed's group called state legislators, sent targeted mailings to voters and ran radio ads against the bill without revealing their true origins, preventing the tribe from fighting back.

Reed's work made the opposition to the tribe's casino appear to be based on Christian concerns, not competitive concerns from its sister tribe, the Alabama-Coushatta said.

Had the public or tribe known the Louisiana Coushatta tribe was the main opponent, Christian groups would have been "less mobilized." Because the Texas and Louisiana tribes share family ties, Louisiana Coushatta members would have opposed the attack on their sister tribe, the Alabama-Coushatta said.

"They pitted Christian against Christian, tribe against tribe and cousin against cousin," the tribe said. The tribe also alleges that Abramoff fraudulently bilked it of \$50,000 and used it to "bribe" Ney with a golfing trip to Scotland in exchange for "fixing" its gaming problem. In his guilty plea, Abramoff said Ney accepted the trip knowing the tribal clients paid for the trip. Ney has repeatedly said he is innocent of wrongdoing.

## Indian youths get a glimpse of college life

Lincoln, Neb. (AP)—Back home, she's the A student, a "younger mother" to her four little sisters and her mom's hero.

But though she doesn't know what she wants to be when she grows up, it's never been a question of if but, rather, where Patricia Daniels will go to college.

"Ever since my mom got her degree, I wanted to go to college," said the 12-year-old from Winnebago. "My mom wants me to be a doctor, but I don't want to go to school that long."

A visit this week to the University of Nebraska-Lincoln campus, she said, has strengthened her resolve to further her education even more.

As a participant in the fifth annual Circle of Nations Youth Conference, Patricia joined about 140 students representing the Omaha, Santee, Ponca and Winnebago tribes.

Each has its own youth council, which decides who to send to the conference based on leadership and academic standing.

The conference is designed to unite Indian youths while giving them a glimpse of college life.

"I think it's helping them realize what's beyond the reservation," said Elizabeth Bayer, youth council sponsor for the Winnebago. "And it's good for them to create friendships with kids from neighboring tribes."

Patricia said she has been taking advantage of opportunities at the conference and getting to know Indian students such as herself.

The three-day conference is co-sponsored by the Nebraska Children and Families Foundation and UNL. Participants attend workshops and listen to speakers who encourage leadership and send out the message that they, too, can pursue higher education.

This is the first time the conference has been held at the UNL campus. "We would love them to come back," said Amber Hunter, senior assistant director of admissions at UNL.

## Lumbee officials testify to congressional hearing

FAYETTEVILLE, N.C. (AP) — Lumbee tribal chairman Jimmy Goins told a congressional hearing on tribal recognition that the North Carolina tribe knows its roots but outsiders still question them.

"They don't know us. They have never been in our community and yet they dispute every congressional and federal legislation," Goins said Wednesday. "We will match the strength of our history and community against any other Indian tribe. We are, in fact, an Indian tribe."

Goins testified before the Senate Committee on Indian Affairs as the tribe sought federal recognition.

Lumbees have been seeking federal status for more than a

century and if it is won will get an estimated \$77 million in annual federal aid.

Congress approved the Lumbee Act in 1956 that said the tribe was American Indian but left out the benefits.

"It's time for all this to end and for Congress to complete what it started in 1956," Goins said.

Sen. Elizabeth Dole, R-N.C., told the panel that Lumbees are the only American tribe hemmed in by actions of a previous Congress. Dole filed the Lumbee Acknowledgment Bill last spring.

"Their legitimacy has been established time and time again," Dole said. "... There is no need to waste the tribe's or the government's time and money again."

Sen. Richard Burr, R-N.C., said the tribe hasn't been treated fairly.

Federal officials said it could take four years to review a Lumbee petition for recognition.

Although Dole was pushing for legislation to give federal status to the Lumbees, officials of the Eastern Band of the Cherokee said the tribe should take the traditional recognition route through the Bureau of Indian Affairs.

The process is "undermined when the politics and emotion, rather than facts about tribal identity, drive the federal recognition decision," testified Michell Hicks, principal chief of the Eastern Band of the Cherokee.

Keep the Kids Busy JULY 19th thru AUGUST 9th SUMMER PLANNER 2006						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
A collaborative effort between all the programs, departments and individuals who work with children and youth in the Warm Springs Community, to help families involve their children in positive and healthy activities this summer.			19 Summer Library 11am @ Family Resource Center	20 Warm Springs Summer Recreation Oaks Park Field Trip	21 ECE Car Wash 9:30-11:30 & 3-4:30	22
23	24	25	26	27	28	29
5pm YOUTH TRACK MEET @ Madras High School for KIDS 2-13 yrs		LAST DAY Summer Library 11am		Warm Springs Summer Recreation Enchanted Forest Field Trip	CPA "Loogie Luau" BLOCK PARTY 2-6pm, at the Community Center	
Warm Springs Head Start is accepting registrations for the 2006-2007 school year for 3 and 4 year olds		Kids 12-17 HUNTER SAFETY CLASS begins call 553-2001	Water Aerobics @ KNT (14 & up)	Last Day WSE Summer Academy		
BUFFALO SKYWALKERS Hoop Camp 5-8pm @ CCenter						
6-11 year olds 7th & 8th Grade High School						
*** Camp Sapsiqwat - Culture Camp at Elmer Quinn Park ***						
HAT & ICE CREAM MAKING at the Community Center ECE OPEN HOUSE 9am - 3pm		Warm Springs Summer Recreation Oregon Zoo Field Trip		Deadline to Register for 4H CAMP Aug 13-19 @ Peter's Pasture for 4th - 6th graders		
6	7	KIDS 8	9	10	11	12
JAMBOREE DAY at the Community Center		Warm Springs Summer Recreation Lava Caves Field Trip				
For Updates - Tune in for the Community Calendar on KWSO 91.9 FM						