

Plan for the Use and Distribution of the Confederated Tribes of the Warm Springs Reservation of Oregon Judgment funds (25 U.S.C. §1401 et. seq.)

The funds appropriated in satisfaction of the Settlement Agreement executed by the Confederated Tribes of the Warm Springs Reservation of Oregon and the United States Government in Docket No. 02-126L shall be used and distributed in accord with the terms of the Settlement Agreement.

The settlement funds total Sixty-Eight Million Dollars (\$68,000,000.00). The terms of the Settlement Agreement specifying the use and distribution of the settlement funds are reflected below.

Tribal Programming

A. Thirty-two Million Dollars (\$32,000,000.00) of the settlement funds, as well as all income from the investment of such amount, shall be used by the Tribe as it decides in its sole discretion for tribal operations and purposes (Settlement Agreement, paragraph 3.A.).

B. Twenty-nine Million Dollars (\$29,000,000.00) of the

settlement funds, as well as all income from the investment, shall be used to implementation of the Strategic Restoration Plan for the Natural Resources on the Warm Spring Reservation. (Settlement Agreement, paragraph 3.B and Exhibit B).

C. Six Million Dollars (\$6,000,000.00) of the settlement funds, as well as all income from the investment, shall be used by the Tribe to pay for a baseline assessment of the current conditions of the Tribe's natural resources on its Reservation, (which shall include the forest, range, roads, watersheds, and cultural resources) and/or to reimburse the Tribe for attorneys fees and costs and expert fees and costs incurred by the Tribe. (Settlement Agreement, paragraphs 3.C. and 6).

D. Seven Hundred and Fifty Thousand Dollars (\$750,000.00), as well as all income from the investment of such amount, shall be released

to the Tribe for its sole discretion upon the Tribe's submission to the Interior Department pursuant to 25 C.F.R. §§ 1000.17, 100.20, 100.23 (2008), of a complete application that seeks self-governance over all of the forestry and natural resource management programs relating to the Tribe's On-Reservation Non-Monetary Trust Assets (Settlement Agreement, paragraph 3.D.).

E. Two Hundred and Fifty Thousand Dollars (\$250,000.00), as well as all income from the investment of such amount, shall be released to the Tribe for use as it decides at its sole discretion, upon the execution by the Tribe and the Interior Department of a mutually annual funding agreement to the self-governance responsibilities described in D. of the Settlement Agreement, if the Tribe and the Interior fail to execute a mutually annual funding agreement within twenty-four (24) months of the of the

Tribe's submission of its application, as set forth in Paragraph 3.D. of the Settlement Agreement, One Hundred and Twenty-Five Thousand Dollars (\$125,000.00), as well as all income from the investment of such amount shall be released to the Tribe for use at its sole dis-

cretion Settlement Agreement, paragraph 3 E.

General Provisions

None of the funds distributed under this plan shall be subject to Federal or State income taxes, nor shall such funds nor their availability be considered

as income or resources nor otherwise utilized as the basis for denying or reducing the financial assistance or other benefits to which such household or member would otherwise be entitled under the Social Security Act, or any Federal or federally assisted programs.

Department of the Interior – Bureau of Indian Affairs

Notice of public hearing regarding the use and distribution of the judgment funds awarded to the Confederated Tribes of the Warm Springs Reservation in Docket 02-126L.

Notice is hereby given that the Bureau of Indian Affairs will hold a Hearing of Record at 7 p.m. on June 4, 2009, at the Agency Longhouse, Warm Springs, Oregon.

The Hearing of Record is called in accordance with regulations in 25 CFR 87.4, which govern the calling and conduct of the Hearing of Record pursuant to the Indian Tribal Judgment Funds Use or Distribution Act, as amended, 25 U.S.C. 1401, et seq.

This hearing will be on the proposed plan for the use and distribution of the settlement funds awarded to the Confederated Tribes of the Warm Springs Reservation to satisfy the claims filed against the

United States between 1855 to the present.

The case summary is as follows:

The Confederated Tribes of the Warm Springs Reservation of Oregon (Tribes) and the United States have entered into a settlement agreement for \$68 million which shall settle the Tribes' claim that the United States government breached its trust duties in regard to the management of the Tribes' non-monetary assets from 1855 to the present.

This award is Phase II of the case originally filed in 2002, and the award is part of the *Confederated Tribes of the Warm Springs Reservation of Oregon v. U.S.* in Docket 02-126L.

A copy of the proposed

plan for use and distribution of the funds will be made available upon request to the Northwest Regional Director, Bureau of Indian Affairs, Northwest Regional

Office, 911 NE 11th Avenue, Portland, Oregon 97232, or the Superintendent, Bureau of Indian Affairs, Warm Springs Agency, Warm Springs, Oregon 97761.

Individuals or organizations may express their oral or written views by appearing at this meeting, or they may submit written comments for inclusion in the official reference of the hearing to the Northwest Regional Director at the above address by June 12, 2009.

Howkak Tichum

Elsie B. Dick, 1918-2009

Elsie B. Dick of Toppenish died at her home on Monday April 13, 2009, surrounded by her family. She was 90.

Ms. Dick was born in the Blue Mountains in Oregon on November 8, 1918 to Tom Billy and Susie Walsey.

She was an enrolled mem-

ber of the Yakama Nation and religious leader in the Washut religion through the Cold Springs and Rock Creek Longhouses.

She was a homemaker, and laborer in the agriculture industry. She taught herself to read and write while only having the

opportunity to attend Roosevelt Elementary.

She enjoyed gathering foods, powwows, beadworking, attending religious events and participated with the Ghost Horse family in the sundance ceremonies. Her most valued belief was to love and cherish one another.

Health care

(Continued from page 1)
Chief operations officer Gerald Smith spoke on behalf of his staff.

Dee Pigsely from the Confederated Tribes of Siletz was also on hand, and commended Warm Springs for its health care work. IHS representatives, and doctors from the clinic also spoke.

The Confederated Tribes of Warm Springs built the clinic in 1993, with the agreement that IHS would provide health care services, as required by treaty.

In subsequent years, the

tribes and IHS came to significant disagreement, resulting in the lawsuit, for instance. The differences were resolved through five mediation sessions.

AAAHC

This week was one of major accomplishments at the clinic, which also received its three-year Association for Ambulatory Health Care accreditation, "in recognition of the highest quality of care and substantial compliance with all regulations."

Tribal Employee of the Week

Marceline Medina

Hello, community of Warm Springs. My name is Marceline Medina (Smith).

I am married to Robert Medina, and we have two kids. I am the daughter of Debra V. Kalama and Alfred Smith Jr. I have two brothers, Jonathan and Kaleb. I am an enrolled tribal member and have lived here all my life.

I am the Service Coordinator for Children's Protective Services (CPS). I do the Assisted Guardianship, which is like adoption but the tribes do not terminate parental rights on the reservation. It puts kids in a per-



I also do Special Rates, which is for children that may need a little or a lot more attention than the regular child. The child maybe depressed, abused (physically/mentally/sexually), ADD/ADHD, or FAS. CPS has a nurse go to the home and evaluate how much more attention the child needs and CPS will then go over the information and give additional assistance.

I also do Independent Living Program. I work with kids and young adults ages 13-21, to help them learn to live on their own.

manent situation with a foster family until their parents are able to take them back into a healthy safe home.

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