

Wyoming tribe gets rare permit to kill bald eagles

CHEYENNE, Wyo. (AP) – The U.S. Fish and Wildlife Service has taken the unusual step of issuing a permit allowing an American Indian tribe to kill two bald eagles for religious purposes.

The agency's decision comes after the Northern Arapaho Tribe in Wyoming filed a federal lawsuit last year contending the refusal to issue such permits violates tribal members' religious freedom. Although thousands of American Indians apply for eagle feathers and carcasses from a federal repository, permits allowing the killing of bald eagles are exceedingly rare, according to both tribal and legal experts on the matter.

"I've not heard of a take permit for a bald eagle," Steve Moore, lawyer with the Native American Rights Fund, or NARF, in Boulder, Colo., said last week. "I see it and NARF would see it as a legitimate expression of sovereignty by the tribe, and respect for that sovereignty by the Fish and Wildlife Service."

Federal law prohibits the killing of bald eagles, the national bird, in almost all cases. The

government keeps eagle feathers and body parts in a federal repository and tribal members can apply for them for use in religious ceremonies.

The bald eagle was removed from the federal list of threatened species in 2007, following its reclassification in 1995 from endangered to threatened. However, the species has remained protected under the federal Bald and Golden Eagle Protection Act.

The Fish and Wildlife Service in 2009 stated in a report that it had never issued a permit for the killing of bald eagles to that time. The report states the government had issued permits for the Hopi Tribe in Arizona to take golden eagles since the mid-1980s.

Diane Katzenberger, spokeswoman for the Fish and Wildlife Service in Denver, said no one in the agency was available who could say immediately whether a permit allowing the killing of a live bald eagle had been issued since 2009.

It's been nearly three years since the Arapaho tribe filed an application for a permit to kill eagles, said Andy Baldwin, law-

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yer for the tribe, adding that he believed the Northern Arapaho would not have received the permit without going to court.

He revealed in a legal filing this week that the federal agency had issued the permit on Friday.

Federal lawyers filed a status report in the lawsuit on Tuesday saying that the Eastern Shoshone Tribe had opposed the killing of eagles on the Wind River Indian Reservation, which the two tribes share in central Wyoming. The report states that the federal permit will allow the Northern Arapaho to kill up to two bald eagles off the reservation.

An attempt to reach Jim Shakespeare, a plaintiff in the lawsuit and chairman of the Northern Arapaho Business Council, for comment on Tuesday was unsuccessful. It was

unclear whether issuing the permit will prompt the tribe to drop its lawsuit. A federal judge has scheduled a conference in the lawsuit for mid-April.

Filed late last year, the lawsuit is essentially the continuation of a bitter legal fight that followed after tribal member Winslow Friday killed a bald eagle without a permit in 2005 for use in his tribe's Sun Dance. Friday shot the eagle on the Wind River Indian Reservation.

William Downes, then a federal judge in Wyoming, dismissed the charge against Friday in 2006 saying it would have been pointless for him to apply for a permit. Downes said the federal government generally refuses to grant permits to tribal members to kill eagles even though federal regulations say such permits should be available.

"Although the government professes respect and accommodation of the religious practices of Native Americans, its own actions show callous indifference to such practices," Downes wrote.

Federal prosecutors appealed Downes' decision and a federal appeals court reinstated the

criminal charge against Friday. After the U.S. Supreme Court ultimately refused to hear his case, Friday pleaded guilty in tribal court and was ordered to pay a fine.

Baldwin said the tribe's lawsuit against the Fish and Wildlife Service was directly related to the government's prosecution of Friday.

"One of the goals of the current suit is to prevent any young men like Winslow Friday from being prosecuted in the future for practicing their traditional religious ceremonies," Baldwin said.

Senior members of the Northern Arapaho Tribe appeared at an appeals court hearing in Denver in late 2007 in support of Friday. Nelson P. White Sr., then a member of the Northern Arapaho Business Council, said after the hearing that the birds American Indians receive from a federal depository were rotten, or otherwise unfit for use in religious ceremonies. "That's unacceptable," White said after the court hearing. "How would a non-Indian feel if they had to get their Bible from a repository?"

Spokane casino moving forward

AIRWAY HEIGHTS, Wash. (AP) – A big casino that the Spokane Tribe of Indians is proposing has cleared a major regulatory hurdle, but the project is drawing bitter opposition from a rival tribe and from some area business and political leaders.

The Bureau of Indian Affairs recently issued a draft environmental impact statement that allows the Spokane Tribe's proposal to continue moving forward. The proposal is opposed by the Kalispel Tribe of Indians, who fear their nearby Northern Quest Casino will lose business to the new competitor.

Area politicians and business leaders also worry about the new casino's impact on nearby Fairchild Air Force Base, and on the Spokane community.

"We don't want to become Spo-Vegas," said Irv Zakheim, a business leader who co-founded Citizens Against Casino Expansion.

"It would expand gambling and the problems that come with it, threaten Fairchild Air Force Base, harm our local economy."

The draft environmental impact statement is now the subject of a 45-day public comment period and what is likely to be a contentious public hearing on March 26.

Elected Navajo leaders removed

FLAGSTAFF, Ariz. (AP) – A day after voters in one of the Navajo Nation's largest communities approved a local sales tax, its elected officials rewarded themselves with thousands of dollars in bonus money. The payments came on the heels of a Christmas bonus and preceded bonuses for other projects.

In all, the handful of officials that served on Tuba City's Council of Naat'aani, or council of leaders, received more than \$80,000 in bonuses from late 2009 to 2011. As a result, ethics cases were brought against them by the larger tribal

government, stripping four of the five of their jobs and requiring all five pay back the money.

Tribal ethics investigators and justice officials said elected officials are not supposed to be compensated beyond stipends for meetings and legitimate travel. Investigators alleged that the officials engaged in favoritism and put themselves above the needs of the community, where the annual per capita income of \$15,000 is less than the bonuses paid to individual leaders.

However, a lawyer for one of the deposed officeholders said the tribal law that gave res-

ervation communities increased authority over local finances is vague and doesn't prohibit the payments.

"I don't agree at all with starting with the presumption that bonus equals bad," said David Jordan, representing council Vice President Robert Yazzie.

The Tuba City Chapter was one of the first to become certified under the tribe's Local Governance Act, which gives local communities the authority to issue business and home site leases, contract with outside attorneys and develop local ordinances.

Exhibit to mark US-Dakota War

ST. PAUL, Minn. (AP) – The Minnesota Historical Society is marking the 150th anniversary of the U.S.-Dakota War of 1862 with a new exhibit and other programs.

The exhibit opens June 30 at the Minnesota History Center in St. Paul. Visitors can view documents, images and artifacts, and add comments about the war's meaning.

The Historical Society also is launching an interactive website:

www.usdakotawar.org

The website is featuring oral histories, photographs, letters, newspapers and government documents. Staff are recording oral histories from elders and settler descendants.

In May, the public can listen to stories told by descendants in a cellphone tour along the Minnesota River Valley.

The U.S.-Dakota War broke out in August 1862, with fighting lasting six weeks. Hundreds of settlers and soldiers were killed along with an unknown number of Dakota.

509-J Schools in Action!

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Leadership Corner

A Message from Rick Molitor
Superintendent



The school year is moving quickly and our students, teachers and staff have all been working hard. We continue to see improvements in academic performance as students become more engaged in learning, thanks

to the guidance and expertise of our dedicated teaching staff.

As you probably know, our district has placed a school bond on the May election ballot. The school bond is designed to maintain the current property tax rates while improving our schools. Our goal has been to provide community members with as much information as possible to help them understand how the school bond will affect our district if passed by voters. Over the next few weeks, we will be sharing answers to some important questions we've heard from community members.

This update will provide answers to questions about the new school building in Warm Springs. The next update will share information about proposed auditorium/community performing arts center. Please feel free to contact me or any one of our school board members with questions about the school bond.

A New K-8 School in Warm Springs

Our partnership between the District and the Tribes continues to grow. We are working together to support the recent Memorandum of Understanding and a new Interagency Education Agreement that will benefit our children. Both of these documents are available on the district website at jcsd.k12.or.us. We are proud of the progress we are making and hope to share this information with our communities.

Why do we need a new school in Warm Springs?

- Warm Springs Elementary is currently the oldest operating school building in our district. It was built in the 1930s and needs major improvements to meet future safety needs and provide a positive learning environment for our students.

How will the cost of the new Warm Springs building be shared between the Tribes and other residents of Jefferson County?

- If passed, the school bond will fund 50% of the cost to build a new K-8 building and the Confederated Tribes of Warm Springs will fund the remaining 50%.

How do the Tribes contribute to the overall bond payoff and school operations?

- The Tribes are one of the largest taxpayers in the district due to their ownership of Round Butte and Pelton Dams. They also own the land that would house the new school building. In addition, 509J receives federal dollars in lieu of property taxes. The district uses that money to support general operating expenses.

Who will staff, operate and maintain a K-8 school in Warm Springs?

- If the school bond passes, existing 509-J staff will become part of the new school. There is no anticipated increase in district-wide staffing. Students and staff will move within the district as needed and according to enrollment projections. In line with the construction phase of the K-8 project, the district will work with students, parents and community members -- as well as certified, classified and administrator groups -- to ensure the best possible outcome.

✓ **Don't forget to VOTE!**

Harassment and Bullying

Our 509-J team believes that every single child in our school district has a right to be in school. We have a zero tolerance policy for any type of verbal, physical or cyber harassment or bullying. We ask our teachers and staff to watch for and report disrespectful behavior and we are asking for parents and family members to do the same. Bullying is known to have long-lasting and harmful effects for everyone involved.

That's why it is so important for parents to let us know immediately if they are aware of any disrespectful or inappropriate behavior. The district has specific policies and procedures to ensure that bullying and harassment are not tolerated in our schools. If you would like more information, please contact our district office at (541)475-6192.

Calendar

March

3/22 JCMS Science Fair; 6-8 p.m.
3/26-3/30 Spring Break

April

4/3 Budget Workshop; 7 p.m.
Support Services Bldg
4/9 School Board Meeting; 7 p.m.
Warm Springs Elementary Library