

Government rolls out \$1.9 billion Indian land buyback program

(AP) — U.S. government officials said last week they are launching a \$1.9 billion Native American land buyback program now that a nearly 17-year lawsuit over more than a century's worth of mismanaged trust royalties is settled.

The 10-year, \$1.9 billion buyback program is the largest part of the \$3.4 billion settlement of a class-action lawsuit filed by Elouise Cobell of Browning, Mont., in 1996 and finalized last month.

Officials with the Interior Department and Bureau of Indian Affairs laid out the program's initial framework in a news conference last week in Washington, D.C.

The program aims to purchase individual allotments from willing American Indians and turn over the consolidated parcels to tribes.

Program manager John McClanahan said it could take up to a year before the first land sales are completed, but the goal is to spend most of the money before President

Barack Obama's second term is up in 2017.

Land fractionation was caused by the 1887 Dawes Act, which split tribal lands into individual allotments of 80- to 160-acre parcels, in most cases. Those allotments were inherited by multiple heirs with each passing generation, and there are now more than 92,000 land tracts with 2.9 million fractional interests.

Of that number, more than 21,200 land tracts have 100 or more owners and many parcels have thousands of owners, according to the Interior Department.

Using or leasing those tracts requires approval of all the owners, so often they sit without being developed.

"The scope of this problem in Indian Country is amazing," said Deputy Secretary of the Interior David Hayes. "The buyback program provides the opportunity to unlock the benefits of those lands for the tribes and their members."

McClanahan said 150 reservations are affected by this fractionation, but most are in the Great Plains and Rocky Mountains. Ninety percent of the fractionated lands available to purchase are in 40 locations, but McClanahan said the program will explore land sales beyond those locations.

Government officials have been consulting with Indian leaders in preparation to roll out the program once the U.S. Supreme Court dismissed the appeals in the Cobell settlement, which it did Nov. 24.

Besides the land buyback, the Cobell settlement will pay out \$1.5 billion to two classes of beneficiaries. Each member of the first class will be paid \$1,000. Each member of the second class would be paid \$800 plus a share of the balance of the settlement funds as calculated by a formula based on the activity in their trust accounts.

U.S. District Judge Thomas Hogan earlier this month authorized the first round of

\$1,000 checks to about 350,000 beneficiaries.

Besides the cash buyouts and land buybacks, an education scholarship of up to \$60 million for young Indians also will be established under the settlement. Interior Solicitor Hilary Tompkins said a portion of each land transaction will go to the scholarship fund.

Congress approved the Cobell settlement in December 2010 and Hogan approved it after a June 2011 hearing. Hogan said that while the settlement may not be as large as some wished, the deal ended the legal deadlock and provided some certainty for the beneficiaries.

Cobell died last year of cancer.

Three consultations to solicit tribal comments on the buyback program's initial framework will be held in the coming months: Jan. 31 in Minneapolis; Feb. 6 in Rapid City, S.D.; and Feb. 14 in Seattle.

Tribal Council Agenda

Monday, Jan. 7

9 a.m. - Bureau of Indian Affairs update with John Halliday, BIA superintendent.

10 - Office of Special Trustee update with Charles Jackson, fiduciary trust officer.

10:30 - Realty items with Lyle Fox, Realty officer, BIA.

1:30 p.m. - Legislative update conference call.

2:30 - Tribal attorney update.

Tuesday, Jan. 8

9 a.m. - Telecom update with Jeff Anspach, Ventures manager.

1:30 p.m. - Warm Springs Forest Products Industry board meeting with WSFPI chair Michael Clements and board. Proposed resolution and 10-year plan.

Wednesday-Friday, Jan. 9-11 - Fish and Wildlife Committee retreat at Kah-Nee-Ta.

Thursday, Jan. 10

Sidwalter meeting. Dinner at 6 p.m., meeting at 7. Topics: Motor sports, senior pension.

Monday, Jan. 14

9 a.m. - Appeals Court, Judicial Nominating Committee with S-T Calica.

1:30 p.m. - Legislative update conference call.

2:30 - Minors' trust with S-T.

Tuesday, Jan. 15

9 a.m. - Enterprise boards, chairmen reports, with S-T.

2:30 p.m. - George Miller, Corps of Engineers, with S-T.

Monday and Tuesday, Jan. 14-15 - Oregon Tribes Memorandum of Understanding work group (drug and alcohol abuse prevention).

Wednesday, Jan. 16 - Oregon Gaming Alliance meeting.

Thursday-Friday, Jan. 17-18 - Oregon Tribes meeting.

Thursday, Jan. 17 - Community meeting in Simnasho, starting at 6 p.m. Topic: K-8 school design.

Monday, Jan. 21

9:30 a.m. - Secretary-Treasurer update with S-T.

10 - Chief Operations Officer update with COO Urbana Ross.

11 a.m. - Draft resolutions with S-T.

1:30 p.m. - Legislative update conference call.

2:30 - Enrollments.

Tuesday, Jan. 22

9 a.m. - Solar/wind power discussion with S-T.

1:30 p.m. - Motor sports/Raceway update with Kahseuss Jackson, economic development coordinator.

3:30 - Travel Center update with Kahseuss Jackson.

Wednesday, Jan. 23

9 a.m. - Minors' Trust Fund with S-T.

Thursday-Friday, Jan. 24-25 - Tribal Council workshop on 2013-14 tribal budgets.

Monday-Thursday, Jan. 28-31 - Affiliated Tribes of Northwest Indians Conference.

Monday-Tuesday, Jan. 28-29 - National Native American 8(a) Conference.

(Notes: Agenda subject to change at Tribal Council discretion.

All draft resolutions are to be submitted to the Secretary-Treasurer's Office for review to ensure the language and format are correct, and typos corrected, before it is submitted to Tribal Council. This helps with the process and turnaround time of the resolutions. Please cc a copy to Laurain Hintsala, via email, at the Tribal Council Office.

Presenters, please submit 14 copies to the Tribal Council Office two days prior to your presentation. This will allow the Tribal Council members time to review your handout. Thank you.)

Hawaii's Inouye, advocate and war hero, passes

(AP) — On Dec. 7, 1941, high school senior Daniel Inouye knew he and other Japanese-Americans would face trouble when he saw Japanese dive bombers, torpedo planes and fighters on their way to bomb Pearl Harbor and other Oahu military bases.

He and other Japanese-Americans had wanted desperately to be accepted, he said, and that meant going to war.

"I felt that there was a need for us to demonstrate that we're just as good as anybody else," Inouye, who eventually went on to serve 50 years as a U.S. senator from Hawaii, once said. "The price was bloody and expensive, but I felt we succeeded."

Inouye, 88, died December 17 of respiratory complications at a Washington-area hospital. As a senator, he became one of the most influential politicians in the country, playing key roles in congressional investigations of the Watergate and Iran-Contra scandals. He was the longest serving current senator and by far the most important for his home state of Hawaii.

"Tonight, our country has lost a true American hero with the passing of Sen. Daniel Inouye," President Barack Obama said in a statement Monday. "It was

his incredible bravery during World War II — including one heroic effort that cost him his arm but earned him the Medal of Honor — that made Danny not just a colleague and a mentor, but someone revered by all of us lucky enough to know him."

Inouye turned toward life as a politician after his dreams of becoming a surgeon became impossible in World War II. He lost his right arm in a firefight with Germans in Italy in 1945.

Inouye's platoon came under fire and Inouye was shot in the stomach as he tried to draw a grenade. He didn't stop, crawling up a hillside, taking out two machine gun emplacements and grabbing a grenade to throw at a third.

That's when an enemy rifle grenade exploded near his right elbow, shot by a German roughly 10 yards away.

He searched for the grenade, then found it clenched in his right hand, his arm shredded and dangling from his body.

"The fingers somehow froze over the grenade, so I just had to pry it out," Inouye said in recounting the moment in the 2004 book "Beyond Glory: Medal of Honor Heroes in Their Own Words" by Larry Smith.

"When I pulled it out, the lever snapped open and I knew I had five seconds, so I flipped it into the German's

Bill would recognize Native Hawaiians

(AP) — Retiring Hawaii Sen. Daniel Akaka is urging his colleagues to pass legislation that would federally recognize Native Hawaiians in honor of the late Sen. Daniel Inouye.

For years, Akaka and Inouye worked to pass the bill, which would allow for Native Hawaiians to form a federally recognized government. Efforts to get the bill to the Senate floor for a vote have consistently been blocked. Akaka said

critics have mis-characterized what the bill would do.

He says the measure is about simple justice, fairness and doing the right thing.

Akaka invoked Inouye's name Thursday in asking his colleagues to pass the bill. Inouye was in the midst of serving his ninth term in the Senate when he died Monday.

Alaska Sen. Lisa Murkowski also spoke in favor of the bill's passage.

face as he was trying to reload," he said. "And it hit the target."

In 2000, when then-President Bill Clinton belatedly presented Inouye and 21 other Asian-American World War II veterans with the Medal of Honor, Clinton recounted that Inouye's father believed their family owed an unrepayable debt to America.

"If I may say so, sir, more than a half century later, America owes an unrepayable debt to you and your colleagues," Clinton said.

Inouye became a senator in January 1963. As president pro tempore of the Senate, he was third in the line of presidential succession. He

broke racial barriers on Capitol Hill as the first Japanese-American to serve in Congress.

Less than an hour after Inouye's passing, Senate Majority Leader Harry Reid announced Inouye's death to a stunned chamber. "Our friend Daniel Inouye has died," Reid said somberly. Shocked members of the Senate stood in the aisles or slumped in their chairs.

He was elected to the House in 1959, the year Hawaii became a state. He won election to the Senate three years later and served there longer than anyone in American history except Robert Byrd of West Virginia.

Judge denies Northern Arapaho eagle request

CHEYENNE, Wyo. (AP) — A federal judge has denied a request from the Northern Arapaho Tribe to reconsider his recent ruling that the U.S. Fish and Wildlife Service acted properly in barring the tribe from killing bald eagles for religious purposes on the Wind River Indian Reservation.

Judge Alan B. Johnson of Cheyenne entered an order denying the tribe's

request to reconsider his November ruling. The Fish and Wildlife Service earlier this year granted the Northern Arapaho Tribe the nation's first permit allowing the killing of up to two mature bald eagles a year for use in the tribe's annual Sun Dance. The permit specified that the tribe couldn't kill the eagles on the reservation it shares with the Eastern Shoshone Tribe because of that tribe's opposition to killing eagles.

Rush to cash checks collapses S.D. bank floor

LOWER BRULE, S.D. (AP) — Officials say the floor of a bank on the Lower Brule Indian Reservation in central South Dakota collapsed after tribal members rushed to business to cash about \$6 million in trust settlement checks.

The floor of bank dropped 2 feet. No one was injured but the bank is closed indefinitely.

The Lower Brule Tribe began issuing \$750 checks to

about 3,800 members as part of a settlement with the federal government over the abuse and mishandling of tribal assets.

The Crow Creek Tribe in nearby Fort Thompson started issuing \$800 checks to about 4,000 tribal members on Monday.

Tribal officials say banks in Chamberlain and Pierre will have to be used until a bank resumes service in Lower Brule.

Council

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A raceway update, and travel center update, are on the January 22 Council agenda. The raceway idea may be put to a referendum as early as spring. The travel center is a priority project of tribal economic development coordinator Kahseuss Jackson. The center would be a source of new employment, and revenue in the form of the state gas-tax rebate to the tribes.

The Warm Springs Forest Products Industries is on the January 8 Council agenda. WSFPI presented a 10-year plan of operation earlier this month, but there are some questions that remain. How to fund the needed improvements is an issue, for instance.

Also, the future operation of the mill would require timber from off-reservation forest land.

There has been no information presented on how this would be achieved, said Councilman Raymond Tsumpti.

A public meeting at Simnasho is planned for the evening of January 17. This is for discussion of the design of the k-8 school.

A meeting at Sidwalter on the evening of January 10 is for discussion of the motorsports park idea, and the senior pension fund.

Tribal Council Chairman Buck Smith suggested that Council needs to evaluate the condition of the tribal enterprises. Council should meet with the board chairs from Power and Water, Indian Head and Kah-Nee-Ta, and Warm Springs Forest Products Industries, Chairman Smith suggested. Council then set January 15 for this meeting.

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