

## Sauk Language Department Language Conference

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of the Business Committee for participating in the welcoming ceremony, assisting the cooks, and for providing a gift bag to each member of the Te Panekiretanga o Te Reo.

The Sauk Language Department would like to acknowledge and thank these wonderful people for the contributions they made:

First of all, we would like to thank our awesome and talented cooks and cook helpers: Dee Byford, Stella Wilson, Frances Butler, Josh Franklin, and Erica Masquat. The traditional meal they prepared for all of these people was wonderful, and it was such a pleasure to work with all of you.

J. Paul Wilson and the entire Sac and Fox Maintenance Department were amaz-

ing! Without their assistance and ingenuity, we could not have had such a successful event. Maintenance is often taken for granted, and we would like to acknowledge that this dedicated and resourceful crew is one of the backbones of the Sac and Fox Nation. Our thanks to J. Paul Wilson, Robby Barrett, Russel Saunders, Sr., Tim Quarry, Austin Barrett, Joe Estes, Kim Boone, Jake Tillman, Levi Killman, Eddie Crisp, John McCullem, David Adair, and Charlene Murphy.

We would like to gratefully acknowledge the Sac and Fox Veterans Honor Guard: Sonny Masquot, Bud McClellan, W.C. Harjo, Raymond Pennock, Austin Grant Jr., and Paul Wolf: the Singers and Dancers who made the Conference welcoming ceremony so memorable: J. Paul

Wilson, Jeff Wilson, Sam Spang, Mason Williamson, Forrest "Kisko" Walker, Russel Saunders, David Grant, Joshua Williamson, Jeff McClellan, Mike Harris, and Harrison Spang. A special thanks to Sam Spang for providing the ceremony ideas and the song descriptions for the visitors.

We would like to thank the Sac and Fox Veterans' Princesses Reagan Hill and Caitlyn Nanaeto, and the Women's Auxiliary members Carrie Spang, Santana Spang, Joyce Wolf, Gwen Wilburn, and Harriet Nanaeto for adding their grace and beauty to the welcoming ceremony.

We would also thank the IT Department for provided the sound system for the pavilion at the pow-wow grounds: Boyd Cummings, Harriet Nanaeto, and Mason Williamson.

And last, but certainly not at all the least, the Sauk Language Department would like to thank the staff of the Property and Procurement Department, and the staff of the Finance Department. Maintenance may be the backbone of the Sac and Fox Nation, but these two Departments, under the guidance of CFO Phillip Ellis, are the lifeblood that makes everything run. So thank you to Vicki Benham, Joyce Hyde, Bessie Morris, and Michelle King for doing what you do so that we can do what we do.

If anyone was left off of the list of acknowledgements, it is not intentional. Many people worked with the Sauk Language Department to make this an historic, once in a lifetime event, and for that assistance, we are very grateful.

## Chief's Address To The Nation

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aging various programs aimed at their own benefit – and have done much better than the United States – since the 1970's under ISDEAA contracts. The Cobell Settlement doesn't mention ISDEAA contracting and therefore the Department believes it doesn't have the authority to enter into ISDEAA contracts with tribes to implement the Land Buy-Back Program. Instead, it promulgated new compacts which are generally more cumbersome and unfamiliar to tribes. This lends itself to inefficient management at both the tribal and federal level. Permitting the Department to enter into ISDEAA contracts with eligible tribes would streamline procedures for both tribes and the Department and would conform the Settlement to our current Self-Determination Era Federal Indian policies.

(2) Allow the Trust Land Consolidation Fund to be Invested – Contrary to sound trust fund management principles, the Department has not invested the \$1.9 billion Trust Land Consolidation Fund. This means that the United States may be vulnerable to further trust mismanagement claims and that tribes are missing out on potential interest income. Since the current law is silent as to investment of the Fund, the Department testified that they would need explicit Congressional authorization to do so. This bill gives them that authorization and makes clear that interest income is to be used for the same purposes as the rest of the Fund. This will shield the United States against any potential claims stemming from mismanagement and will provide more money to consolidate fractionated land shares. \$1.9 billion may sound like a great deal of money, but it is a drop in the bucket compared to the amount needed to consolidate all the fractionated land shares on reservations nationwide. That is why this provision is so important.

(3) Ensures All of the Trust Land Consolidation Fund will be Used for Its

Intended Purpose – Under current law, if the Department cannot spend all \$1.9 billion of the Trust Land Consolidation Fund within 10 years from when the Settlement became final, the amounts in the Fund will revert back to the Treasury. Meanwhile, almost two years after the Settlement became final, the Department has just begun making land consolidation offers. At this rate, spending all of the money for its intended purpose will be a challenge. Tribes should not suffer due to Departmental delays. That is why this bill also makes clear that once the Fund is invested, it will not automatically revert back to the Treasury after 10 years. This will ensure Settlement beneficiaries get what they bargained for.

(4) Clarifies Secretary's Responsibility in Making Second Round Payments and Provides Concrete Completion Date – Settlement class members have been frustrated with the lack of transparency with respect to the second round of payments. The Department and the claims administrator have been pointing fingers at one another and providing no certainty to beneficiaries as to when payments will be sent out. This provision would clarify that the Secretary is ultimately responsible for ensuring these payments go out and it would provide her a concrete completion date for doing so."

**Supreme Court Upholds Tribal Sovereign Immunity in Michigan v. Bay Mills**

WASHINGTON, DC – Today, in a stunning victory for Indian tribes, the Supreme Court of the United States issued its opinion in Michigan v. Bay Mills Indian Community, reaffirming the doctrine of tribal sovereign immunity. In a 5-to-4 decision, Justice Kagan, joined by Chief Justice Roberts, Justices Kennedy, Breyer and Sotomayor, upheld the lower court's decision that that Indian tribal governments possess sovereign immunity against lawsuits, including lawsuits brought by state governments, and

reaffirmed the principle that it is for Congress, not the Court, to determine the circumstances where Indian tribes should be subject to suit. In an unexpected development, Chief Justice Roberts provided the crucial fifth vote to secure this legal victory, having not voted in favor of tribal interests in a single case since he joined the Court in 2005.

The lawsuit had its origin in a dispute between the State of Michigan and the Bay Mills Indian Community over whether a particular location constituted Indian lands eligible for gaming under the Indian Gaming Regulatory Act, but then turned into a much larger legal battle over the rights of all Indian tribes across the country.

"This is a good day for tribal governments," said NCAI President Brian Cladosby and Chairman of the Swinomish Tribe. "Congratulations to the Bay Mills Indian Community! We always thought this case was an overreach by the State of Michigan. Tribal and state governments work together and find common ground all the time. All governments are working to create jobs, educate our children, provide public safety and protect our environment. We find agreement on thousands of issues, but every now and then we disagree. When that happens, we have to negotiate solutions on a government-to-government basis. That takes leadership, and we can't take each other to court. The Supreme Court agrees."

Upon learning of the decision and the fact that Chief Justice Roberts voted in favor of tribal interests, NARF's Executive Director John Echohawk's initial response was a simple "WOW!" After a sigh of relief, he stated: "I am pleased that the Court today stood upon the foundational principles of Indian law that we are all familiar with, instead of changing the rules on us all the time. The victory in this case is attributed to the hard work and dedication of the tribal leaders and attorneys for

Bay Mills, as well as the on-going efforts of the Tribal Supreme Court Project."

In parts of the opinion aside from the main holding, the Supreme Court found that the states can use other remedies to address issues off-reservation, including negotiations, permit enforcement, and lawsuits against tribal officials in their individual capacities. A dissent written by Justice Thomas strongly disagreed with the holding, stating that sovereign immunity is a judicially created doctrine and could be modified by the Supreme Court. However the majority emphasized that tribal sovereignty is an inherent right of Indian tribes recognized in a string of Supreme Court decisions from the founding of the United States.

NCAI and NARF filed an amicus brief before the argument, and would like to thank all of the tribal leaders and attorneys who participated in the efforts on this case.

### Short Takes:

- \* Mark your calendars:
- \* 51st Annual Sac & Fox Nation Celebration Pow-Wow, July 10 – 13
- \* Swimming pool officially opened on Memorial Day.
- \* Please keep submitting your success stories of your accomplishments so our entire membership can enjoy your success.

On behalf of our Sac & Fox Nation, I extend our condolences to the families that have lost loved ones.

I extend a belated Happy Birthday to all that have celebrated one and a Happy Birthday to others yet to have one this year!

I congratulate all of our graduating students from Kindergarten, Elementary, High School, and College; may you succeed in your future endeavors.

May God continue to Bless our Nation and our People. Amen.

Sincerely,  
George Thurman, Principal Chief

## Update: Shawnee Sales Tax Issue

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diverted resources and attention away from other pressing matters to our citizens.

Our Nation strives for cooperation and mutual respect of all governments in the Sac and Fox reservation area. We have evidenced this by monetary and other assistance to governments, schools and other organizations and projects throughout our reservation area. The Nation has been disappointed in the City's approach to this matter to date. We hope that future issues are addressed in a much more cooperative and conciliatory manner.

Sincerely, George Thurman, Principal Chief Sac and Fox Nation.

*Mayor Mainord's response:*

Dear Chief Thurman,

Thank you for your letter of May 9, 2014.

I apologize to you both personally and on behalf of the Commissioners of the City of Shawnee for treating you and your Business Committee with disrespect. Even though that was not our intent, it is clear that we should have broached the issue of sales taxation with you directly before including you in a letter addressing a dispute regarding that topic. We sincerely apologize for that and assure you that in the future we will seek to work with you cooperatively as government to government. We hope that you will be so gracious as to accept our apology.

You are correct that we do not seek the collection, reporting or remittance of sales tax on any gaming or tobacco operations.

We are not aware that you have other operations that might be the source of a dispute between us, and accept your statement to that effect.

Given those circumstances, we agree mediation would not be an effective use of either of our funds.

We acknowledge that we have different interpretations of law with regard to the Nation's duty to collect, report and remit sales tax from non-tribal members when the transaction is one that is not covered by state compacts and would otherwise be subject to sales tax. We suggest that we each preserve our legal position while working together on other issues and projects that would be beneficial to your members and all Shawnee citizens.

Chief Thurman, I would like to develop a better personal relationship with you, as each of us leads a government dedicated to public service. I know the City Commissioners would welcome the opportunity to meet with the Sac and Fox Nation Business Committee. If you would be interested as well, I suggest we find an opportunity for a more casual time together, perhaps over a meal with you as our guests. We are not seeking a "public relations" meeting or discussion in the press of any further issues, but merely an opportunity to create sound friendships to better understand one another.

Thank you very much for continuing this dialogue. Sincerely,  
Wes Mainord, Mayor

## Deadline for July Paper is Friday, June 20

### Sac and Fox Nation Swimming Pool Rules and Hours

#### Sac and Fox Nation Swimming Pool Opening Memorial Weekend

Pool hours are:  
12:00pm to 6pm Tuesday through Sunday  
Closed on Mondays

Admission prices are \$2.00 for the general public,  
\$1.00 for the Sac and Fox Nation tribal members

Private Parties are in the evenings from 6:00pm until 8pm  
Parties are required to fill out proper paperwork for rental agreements as well as for scheduling 24 hrs in advance  
Arrangements will be administered through the Office of Government

Pool rental prohibited during the week of the Nation's annual celebration

Rental prices are \$50.00 (2 hour) for general public,  
\$25.00 for Sac and Fox Nation tribal members

Certified Lifeguards with CPR/First aid training will be on duty  
No waiving of fees. No exceptions.