

The

NARF LEGAL REVIEW

Native American Rights Fund

Winter 1985

Settlement Provides Tribes Investment Opportunities

On October 10, 1985, the Penobscot Nation and Passamaquoddy Tribe celebrated the fifth anniversary of the Maine Indian Settlement Act of 1980. The celebration, held in Rockford, Maine, recognized many of the principals involved in the negotiations for the settlement, including the Native American Rights Fund. In 1972-1980, NARF represented the Tribes in their litigation and negotiations for the settlement. The Act, signed by President Carter, awarded \$81.5 million to the two Tribes for compensation of 12,000,000 acres of land taken from them in the 1700's. Approximately one-third of the settlement was allocated for economic development. The other two-thirds was to be divided into a trust fund and land acquisition. In the past five years, the Tribes have received national attention for their entrepreneurship and investment of that fund.

The Penobscot Nation and Passamaquoddy Tribe have begun charting a new course toward financial independence and self-sufficiency for their tribal members. With a capital pool of approximately \$27 million, the Tribes are purchasing businesses and industries in the State of Maine, essentially helping the local and state economy by keeping its investment in the state. Through its investment efforts, the Tribes hope to open up new opportunities and to help provide badly needed jobs for their respective Reservations. In the process, the Tribes are rapidly becoming a major economic and political force in the State of Maine.

Over the last five years, the Tribes' economic growth has been phenomenal. Last December, the Penobscot Nation celebrated the opening of its \$2.5 million audio cassette manufacturing company on its Reservation. This spring, the Passamaquoddy Tribe will open its multi-service center to the public.



Pictured is the Dragon Cement Company, Thomaston, Maine, one of the Passamaquoddy Tribe's current investments. (Photo credit: Sharon Ann Page, Passamaquoddy Newspaper Coordinator)

The Penobscot Reservation is located at Indian Island, near Old Town, Maine. The Passamaquoddy Tribe has two reservations, Pleasant Point and Indian Township, located near Perry and Princeton, Maine, respectively. Both Tribes elect a Governor, Lieutenant Governor and a tribal council to guide their tribal governments and their economic enterprises.

The Passamaquoddy Tribe's investment portfolio includes the purchase of a cement company, two radio

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stations and a blueberry farm. The Dragon Cement Company, located in Thomaston, Maine, is one of the largest manufacturing cement companies in New England and the only one in Maine. The company manufactures and sells cement throughout the State. Radio stations, WRKD-AM and WMCM-FM, are located in Rockland, Maine. The stations are the only ones in the mid-coastal area and have been widely recognized as leaders in their public service endeavors and news coverage. The Northeast Blueberry Company has yielded an average crop of 500 tons during the last two years and has earned its entire \$2 million investment back. The farm makes the Tribe one of the largest producers of commercial blueberries in the nation and provides seasonal work to 500 people.

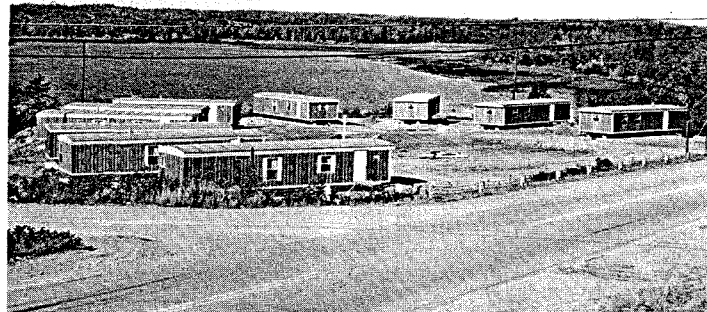
The Passamaquoddy Tribe also owns the Reservation supermarket, Sipayik Supersaver, which employs 10 tribal members. Currently, the Tribe is finalizing the construction of its new multi-service center which is scheduled to be open in March. The center will include: a home fuel delivery system, a convenience store, a fast food restaurant, an automotive parts and equipment store, and an arts and crafts store. The Tribe is investigating the possibility of buying a slaughter house, a dairy farm and an alternative power company such as wind or solar power.

Another investment under consideration is a manufactured housing company. The Tribe hopes to secure a share of the housing market in New England, eventually expanding throughout the U.S. Tribal officials have been talking with technical experts from Finland about the business and with marketing experts from Maine about selling the houses.

The Penobscot Nation's audio cassette manufacturing company, Olamon Industries, employs 30 people and produces approximately one million cassettes. Timothy Love, Governor of the Penobscot Nation, explained that the audio cassette market has "gone crazy" and the company can't keep up with the current demand. The company is managed by Shape, Inc. located at Biddeford, Maine.

The Tribe also invested a portion of its money in Penobscot Guaranty which lends money to expanding companies. For example, if a company wanted to build condominiums, the Tribe will guarantee a certain amount of capital money and in return receive a fee for its investment, after a specified period of time. One of the most notable businesses on the Reservation is Sockalexis Arena, an ice hockey rink used by the Tribe and the local non-Indian community. Hockey games are scheduled weekly and it is used constantly for practice.

Other tribal ventures under consideration by the 1,800 member Tribe include guaranteeing a bingo operation



Pictured is the site of the Passamaquoddy's new trailer park in Perry, Maine. (Photo credit: Sharon Ann Page)

for a Tribe in Connecticut and a liquor store in North Carolina. Negotiations are currently under way to buy a ski resort and a large paper company. Paper is one of the largest industries in the State, Governor Love said. The Tribe is currently working with Old Town, Maine, to establish an industrial park to lure more businesses into the area.

The Passamaquoddy Tribe and Penobscot Nation depend on the technical expertise of Tribal Assets Management (TAM) in developing their business interests. TAM was established in 1983 to provide investment advice to the Tribes. The company now assists tribes across the nation and provides expertise in business acquisitions, business financing, investment returns, and cost reduction.

Cliv Dore, Governor of Pleasant Point, cautioned about the waiting game on the return of the investments. He explained that even though the Tribe has accumulated large investments from the settlement, the return has yet to trickle down enough to benefit individual tribal members. "The balance of the settlement won't be seen for several years. The monetary rewards are going to be a few years down the road," he said.

John Stevens, Governor of Indian Township, also expressed a concern about the long wait on the return and added that it was one of the problems to overcome in regard to the settlement. "They [tribal members] want an instant return on the investments and you have to wait on those returns. It takes a few years to get an investment back," he said. He explained that many tribal members do not understand how the investment system works and could possibly turn against it. "Hopefully, I'll be able to communicate to the people that it takes a long time." He worried that the opposition to the Tribe's plans could possibly play "wait" up to the hilt. "It's easy to do in the

Indian community. They believe the worst in you rather than the best in you," he said.

Governor Stevens, a former NARF Steering Committee member, was one of the original initiators of the Claim. He started the effort after reading a copy of the Passamaquoddy's 1794 Treaty with the Commonwealth of Massachusetts which authorized 23,000 acres of land to the Tribe. At the time, the Tribe had title to 17,000 acres of land. He then set out to investigate the history and legality of the Tribe's land losses.

It was not until 12 years later that the Passamaquoddy Tribe asked Tom Tureen, a recent law graduate who had opened the Indian Legal Services unit of Pine Tree Legal Assistance in Calais, Maine, to review the Tribe's claims. Mr. Tureen, who would soon leave Pine Tree and become a full-time NARF staff attorney, asked NARF attorney Robert Pelcyger and Stewart Ross of the Hogan and Hartson firm in Washington, D.C. to help evaluate the Tribe's claim.

What the attorneys discovered was that the Passamaquoddy Tribe and the Penobscot Nation could seek return of 12,000,000 acres, or two-thirds of the State of Maine. The land had been taken in unratified treaties with Maine and Massachusetts. Under the terms of the Indian Trade and Intercourse Act of 1790, all transfers of Indian land which did not receive federal approval are null and void. And since the treaties with Maine and Massachusetts were never ratified by Congress, the land transfers were void. At the time, the Tribes were under state control.

In 1975, NARF obtained a federal court judgment which held that the 1790 Act protects all bona fide Indian tribes, whether federally recognized or not. This decision was unanimously affirmed on appeal.

Although their investments have been successful, the Tribes have not eliminated the social problems that existed before settlement. Unemployment, poverty, and alcoholism continue to be significant problems on the Reservations. However, the Tribes have developed programs and services to address those social needs. Many of their programs are funded through Housing and Urban Development, Indian Health Service and the Bureau of Indian Affairs. In 1976, the Tribes received federal recognition, which was provided through the land claim. Before, they were wards of the State of Maine. Since the settlement, the Tribes have seen progress in the areas of employment, education and housing.

The Tribes' financial successes have made a difference and provide hope for the future. The Passamaquoddy Tribe's unemployment rate has slowly decreased to a rate of approximately 60-68%. The Penobscots have dropped the unemployment rate from a 63% to a 15% level over the last five years. The Tribes plan to develop more business and industry on the Reservations and surrounding areas.

Tribal businesses such as Olamón Industries and Sipayik Supersaver employ tribal members, but are only the beginning to providing badly needed jobs. Governor Stevens hopes that in the next five years all Passamaquoddy tribal members will be employed. Clayton Cleaves, Pleasant Point tribal planner, wants the businesses to completely wipe out unemployment on the reservations. However, Governor Dore explained that it will be the 1990's before any real impact of the settlement is felt by the local community. He acknowledged that the Tribe as a whole is doing well—"We've promulgated good investigations into good investments"—but he added, "We need to work at developing jobs and companies."



The health center, located at Peter Dana Point, Maine, was built with income received from the Passamaquoddy Tribe's investments. (Photo credit: NARF)

The settlement has also contributed to the upgraded housing conditions and living standards on the Reservations. Construction of new homes, schools and tribal buildings are evident on all three Reservations. At Indian Township, the finishing touches on the new tribal building are being completed. At Peter Dana Point, about six miles away, a new health center was constructed with the proceeds from the Tribe's blueberry venture. At Indian Island, the Penobscots boast of a new tribal school under construction that will house grades K-9. Governor Stevens estimates that individual living standards are perhaps slightly higher on the Reservation than in surrounding communities. To help boost individual income, tribal members receive a yearly per-capita payment from the interest accrued from a portion of the settlement money.

The level of education has increased significantly over the last five years. Tribal members are now taking advantage of the educational opportunities provided to them. In 1980, the Passamaquoddy Tribe had approximately 43 members attending college. This year, 43 students enrolled in college and 10 more are expected to go next

year. The Penobscot Nation has approximately 62 students attending college. Governor Love said that people are going to school, getting an education and coming back. "Young people are important," he said. "People need them and there is a place for them here and we care about what happens to them."

The business ventures have captured the attention of the State of Maine. The Tribes have deliberately purchased Maine businesses, not only to help themselves, but to help the state economy. And, with a large capital pool to acquire businesses and investments, they are definitely an economic force to contend with. Mr. Cleaves stated that Maine's future power structure will include not only the traditional banks and paper companies, but also the Tribes.

Before settlement, the Tribes were not recognized as potential investors in the State. "Now it is the State that is offering joint ventures on and off the Reservation," Gov. Stevens said. He noted that the investments have also made the Tribe a political force in the State. "Those are the fringe benefits of the settlement."

All three governors acknowledge a positive change in the attitude of the State toward their respective Tribes. Before settlement, relationships with the state were described as relatively poor. Governor Love commented that a recent Indian bingo bill introduced in the state legislature demonstrated the changing attitude of the State toward the Penobscot Tribe. The bill passed both the House and Senate, but was vetoed by the Maine Governor. But to everyone's surprise, the Governor's veto was nearly overridden by the House. The motion to override lost by only six votes.

Priscilla A. Attean, Penobscot Representative to the House, said the override motion showed that the mood of the State was changing and supportive of the Tribe. "The veto message was not shared by the legislature," she said. "The veto shows the legislature is willing to make exemptions for Indians. Quite a change from what it used to be." Ms. Attean is the Penobscot's representative to the Maine House of Representatives. The State allows the Tribes to elect representatives with all house privileges, except voting. For example, the representative may speak before the House and draft legislation.

Governor Stevens recalled how the State never used to invite the Tribe to any state functions, much less appoint members to state boards or commissions. "We now have lots of offers in the State. When we speak, they notice us. Ten years ago, they didn't even listen to us," he said.

Governor Stevens stated that the land claim settlement was the only process the Tribe could take to limit damages on the Reservation by non-Indians in the State. He explained that the settlement was carefully planned out and that NARF was a "lifeline." "NARF," he said, "ex-

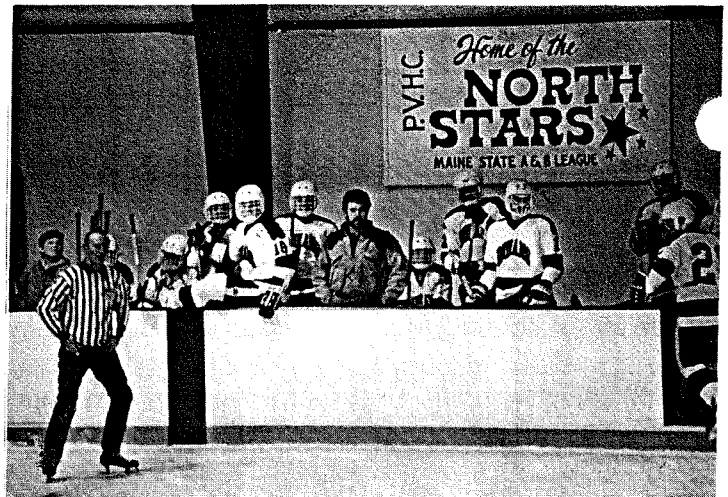
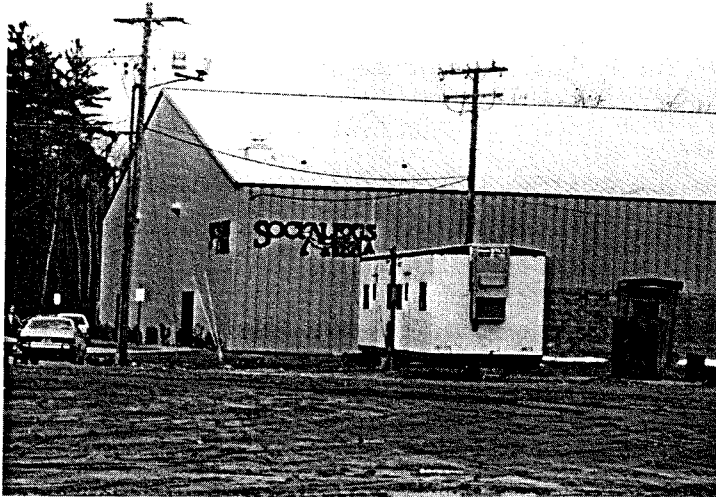
tended resources we didn't have. The Indians here had come to a point of frustration; we had no outlet and no money." He said that the court was the only system the Tribe could look to for help. "If that failed, there was no one else to look to."

Governor Love, 33, the youngest governor to serve in the Penobscot Nation's history, said that before settlement the State never did more than it had to in helping the Tribe and there was a lot of discrimination and prejudice. Reflecting back on the early phases of the settlement, Governor Love said that because of the past relationships with the State the case was one of "seeing is believing." He said tribal members thought it was a "big joke" to imagine a claim against the State for the return of tribal land.

During the negotiations for the settlement, it was no secret that the land claim was a political "hotbed" in the State. The Tribes were accused of blackmail and seeking to establish a separate "nation within a nation." The State challenged the jurisdictional provisions of the proposed settlement, which provided that the Tribes' lands constituted "Indian country," and therefore outside the jurisdiction of the State. The State argued that the Nonintercourse Act did not include land within Maine.

In the negotiations, the Tribes finally agreed that major crimes like murder and arson committed by Indians on the Reservations would be tried in state courts. Most serious crimes committed by Indians on reservations are tried in federal court. Unlike their other reservation counterparts, the Maine Tribes also pay state income taxes on income earned on the Reservation. Maine's general laws are applicable to the Tribes, but do not apply to internal tribal affairs. Governor Love thought the biggest issue in the negotiations was this question of jurisdiction. He stated that the Tribe compromised the jurisdiction issue because of the political realities at the time. He said the alternative was to trust the U.S. Supreme Court and "I couldn't trust them past what I could throw."

Other individuals see more to the settlement than the economic and political impact on the Tribes. Wayne Newell, Director of Indian Township's Health Center, expressed his concern about the effects of education and the influence of the outside world on the Tribe's language and culture. He said that past histories of other tribes have shown that many have lost their culture and language through development. However, Mr. Newell feels his Tribe is taking the necessary steps to ensure that the culture and language are not lost. He said language classes are taught in school and social studies and civics courses about the Tribe are currently being developed, including the history of the land claim. "Our children need to know that our leadership was involved in the land claim," he said. "We teach tribal songs, music, crafts—those are the



The hockey arena (left) was constructed by the Penobscot Nation and hosts several hockey league games (right) throughout the year. (Photo credit: Penobscot Nation)

symbols of our culture. Our culture is in our values. If we lose those, then the other is really a stage show." Mr. Newell, a NARF Steering Committee member, is optimistic that his Tribe can retain the language and culture and survive the changes on his Reservation. "I think it's one of those things that if we take it in hand, we'll be able to do both," he said.

All three governors recognize the unlimited opportunities provided to the Tribes since the signing of the land claim act. They also acknowledge that the Tribes have to decide their own direction and future. "We have unlimited opportunities and if we let personalities and differences get involved, the Tribe will not go anyplace," Governor Dore said.

For the future, Governor Stevens hopes the Tribe will play a role in influencing the outside world. He sees the youth as carrying out tribal plans. "Our kids are the ones who are going to carry the burden. We can't leave it up to anyone else."

"We have resources that other tribes can only dream of," Gov. Love said. "The biggest problem we have to

overcome is believing in ourselves. The Tribe has terrific opportunities. There are decisions we have to make. If we make it, we can pat ourselves on the back." He added that a real sense of community has evolved on the Reservation and "people are seeing good instead of bad."

Ms. Attean said, "We're doing something constructive with our money. Rather than going out and buying pink Cadillacs, we're keeping our money in Maine—Maine businesses. That's changed quite a bit about the way people feel about us."

Clayton Cleaves thought his Tribe was now experiencing true self-determination in its effort to become independent. He said, "We give direction, rather than be given direction. We're now able to represent the Tribe internationally and with other Indian tribes in the country."

Through the Tribes' determined effort to exercise their legal rights and to seek justice for an age-old wrong, they are establishing a sound economic base for their members and future generations. Financial independence, once a dream, is slowly becoming a reality for the Passamaquoddy Tribe and Penobscot Nation.



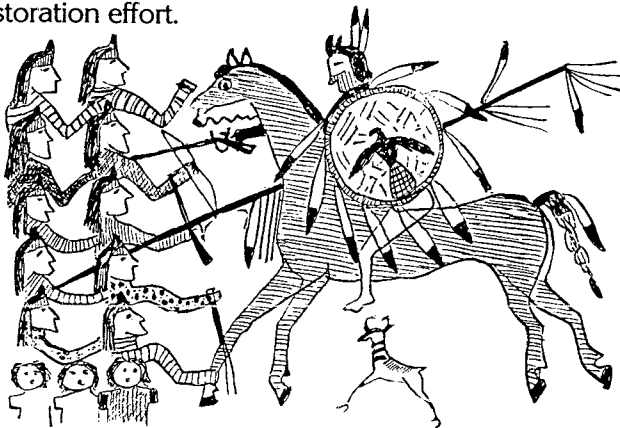
—NARF Legal Developments—

Amicus Brief Filed in Religious Freedom Case

NARF recently filed an *amicus* (friend of the court) brief on behalf of several tribes and Indian organizations in *Heckler v. Roy*. The case, which will be decided this term by the Supreme Court, raises the issue of whether the federal government can infringe upon the religious beliefs of an Indian in order to protect its own interest in preventing fraud and abuse in a public assistance program. Specifically, the government is requiring Roy to provide a social security number for his daughter in order to receive Social Security benefits. Roy argued that this requirement was in conflict with his religious beliefs. The district court upheld Roy's position, and the government appealed to the U.S. Supreme Court. The issue of the validity of Roy's belief was not appealed. The *amicus* brief was filed on behalf of National Congress of American Indians (NCAI), National Indian Youth Council (NIYC), the Winnebago Tribe, the Confederated Salish and Kootenai Tribes, and the Kootenai Tribe of Idaho.

Hearing Held on Alabama-Coushatta and Tigua Restoration Bill

House hearings were held by the Interior and Insular Affairs Committee on October 17, 1985, on the Alabama-Coushatta and Tigua Restoration bill. The bill was introduced in the House last February and is expected to be introduced soon in the Senate. At the hearing, the bill received complete support from state officials, but the Department of Interior recommended that action on the bill be deferred until they could do an in-depth analysis of the Tribes' status. Passage of the bill is expected, however, by the end of the year. NARF represents both tribes in their restoration effort.



New General Assistance Regulations Allowed to Become Effective

The federal district court in Washington, D.C. upheld the BIA's authority to implement a new regulation that cuts general assistance (GA) payments to some needy American Indians. NARF challenged the new regulation in *Adams v. Hodel*, contending the BIA rule is arbitrarily used and is in violation of the Synder Act and the Fifth Amendment by singling out certain GA recipients.

In the past, general assistance payments have been made at the same rate as state authorized AFDC subsistence need levels. However, many states allocate only a percentage of the need to be paid to AFDC recipients. The new regulation provides for GA payments to be made at the same level as state payments which for some reservations means a reduction in GA payments by as much as 40-50%. The ruling affects thousands of Native Americans in eight states.

Earlier the court had issued a temporary restraining order enjoining the Secretary from enforcing the new regulation, but the Court refused to permanently enjoin the Secretary from enforcing the regulations. The Indians argued that the formula based on a state's ability to pay AFDC has no rational connection to a national program administered by the BIA and only affects residents residing in certain states. The Indians also pointed out that the BIA is appropriated funds under the Synder Act to pay the full cost of the AFDC need and Native Americans are entitled to receive the full share allotted to them under the act. In reaching its decision the court held: 1) that there is a clearly stated, rational factual basis for the change in the regulations; 2) the regulations do not violate the Synder Act; and 3) the regulations do not violate the equal protection requirement of the Fifth Amendment. Rehearing was denied and an appeal has been filed. NARF serves as local counsel in the case in which Idaho Legal Services is lead counsel.

Court Denies Petition in Pyramid Lake Water Case

In June 1985, the Supreme Court denied the Truckee-Carson Irrigation District's request to review the Secretary of Interior's decision to terminate TCID's contract to operate the Newlands Reclamation Project in Nevada. The contract was terminated because TCID refused to implement specified operating criteria which would result in

additional water to Pyramid Lake. The case, *TCID v. Secretary*, initially began when the Pyramid Lake Paiute Tribe filed suit against the Secretary because of TCID's refusal to comply with the criteria. When TCID refused to comply, the Secretary terminated its contract. TCID's suit against the Secretary followed. Both the district court and the court of appeals upheld the Secretary's termination of the contract and held that the criteria were a valid exercise of the Secretary's authority. The Supreme Court denied TCID's petition for certiorari (review) thus allowing the lower court's decision to stand. NARF wrote the opposition for certiorari on behalf of the Tribe.

Petition for Supreme Court Review Denied In Indian Child Welfare Act Case

NARF recently asked the Supreme Court to review a Kansas Indian Child Welfare Act Case. The case involves an adoption without the father's consent and without consideration of the Indian Child Welfare Act. The ICWA is a federal law enacted in 1978 which is intended to promote the stability of Indian tribes and families by establishing minimum federal standards for the removal of Indian children from their families and the placement of Indian children in adoption or foster homes. The case, *Tudor v. Glaesner*, raised the issue of whether the ICWA

requires the consent of an unmarried father to an adoption where state law does not require such consent under the circumstances present in the case. Other issues concerning the constitutionality of the state law were also raised. Review was denied by the Supreme Court on November 18, 1985, allowing the state court decision to stand.

NARF Request Denied In Karmun Tax Case

The Supreme Court recently denied NARF's request to review a decision of the Ninth Circuit Court of Appeals holding that income derived from the sale of reindeer and reindeer products is subject to federal taxation. NARF, on behalf of two Eskimo reindeer herders, challenged the decision based on the grounds that federal Indian law impliedly exempts from federal taxes income derived from trust property such as reindeer. The Internal Revenue Service had ruled that the Reindeer Industry Act of 1937 does not specifically provide the Native reindeer herders tax-exempt status from the sale of their reindeer. NARF argued that courts in the past have implied such an exemption where Indian trust property is involved. Review was denied in the case, *Karmun v. Commissioner of Internal Revenue*, on October 7, 1985.



(Photo credit: *Western History Collection, University of Oklahoma Library.*)

NARF PUBLICATIONS AND RESOURCES

The National Indian Law Library

The National Indian Law Library (NILL) is a resource center and clearinghouse for Indian law materials. Founded in 1972, NILL fulfills the needs not only of NARF but of people throughout the country who are involved in Indian law. NILL's services to its constituents throughout the country comprise a major segment of meeting NARF's commitment to the development of Indian law.

The NILL Catalogue

NILL disseminates information on its holdings primarily through its National Indian Law Library Catalogue: An Index to Indian Legal Materials and Resources. The NILL Catalogue lists all of NILL's holdings and includes a subject index, an author-title table, a plaintiff-defendant table, and a numerical listing. It is supplemented periodically and is designed for those who want to know what is available in any particular area of Indian law (1,000+ pgs. Price: \$75).

Bibliography on Indian Economic Development

Designed to provide aids for the development of essential legal tools for the protection and regulation of commercial activities on Indian reservations. Assembled by Anita Remerowski, formerly of NARF, and Ed Fagan of Karl Funke and Associates, this bibliography provides a listing of articles, books, memoranda, tribal codes, and other materials on Indian economic development. An update is in progress. (60 pgs. Price: \$10)

Indian Claims Commission Decisions

This 43-volume set reports all of the Indian Claims Commission decisions. An index through volume 38 is also available, with an update through volume 43 in progress. The index contains subject, tribal, and docket number listings. (43 volumes. Price: \$820) (Index price: \$25).

Indian Rights Manuals

A Manual For Protecting Indian Natural Resources. Designed for lawyers who represent Indian tribes or tribal members in natural resource protection matters, the focus of this manual is on the protection of fish, game, water, timber, minerals, grazing lands, and archeological and religious sites. Part I discusses the application of federal and common law to protect Indian natural resources. Part II consists of practice pointers: questions to ask when analyzing resource protection issues; strategy considerations; and the effective use of law advocates in resource protection (151 pgs. Price: \$25).



(Photo credit: *Western History Collection, University of Oklahoma Library*)

A Manual On Tribal Regulatory Systems. Focusing on the unique problems faced by Indian tribes in designing civil regulatory ordinances which comport with federal and tribal law, this manual provides an introduction to the law of civil regulation and a checklist of general considerations in developing and implementing tribal regulatory schemes. It highlights those laws, legal principles, and unsettled issues which should be considered by tribes and their attorneys in developing civil ordinances, irrespective of the particular subject matter to be regulated (110 pgs. Price: \$25).

A Self-Help Manual For Indian Economic Development. This manual is designed to help Indian tribes and organizations on approaches to economic development which can ensure participation, control, ownership, and benefits to Indians. Emphasizing the differences between tribal economic development and private business development, the manual discusses the task of developing

reservation economies from the Indian perspective. It focuses on some of the major issues that need to be resolved in economic development and identifies options available to tribes. The manual begins with a general economic development perspective for Indian reservations: how to identify opportunities, and how to organize the internal tribal structure to best plan and pursue economic development of the reservation. Other chapters deal with more specific issues that relate to the development of businesses undertaken by tribal government, tribal members, and by these groups with outsiders (Approx. 300 pgs. Price: \$35).

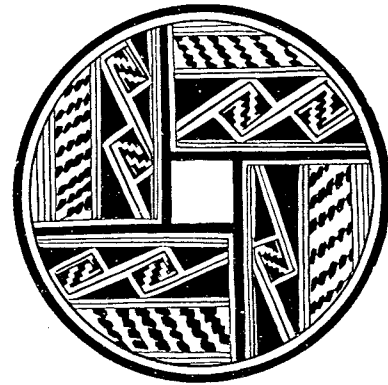
Handbook of Federal Indian Education Laws. This handbook discusses provisions of major federal Indian education programs in terms of the legislative history, historic problems in implementation, and current issues in this radically-changing field (130 pgs. Price: \$15).

A Manual on the Indian Child Welfare Act and Laws Affecting Indian Juveniles. This fifth Indian Law Support Center Manual is now available. This manual focuses on a section-by-section legal analysis of the Act, its applicability, policies, findings, interpretations and definitions. With additional sections on post-trial matters and the legislative history, this manual comprises the most comprehensive examination of the Indian Child Welfare Act to date (373 pgs. Price: \$35).

Films and Reports

"Indian Rights, Indian Law." This is a film documentary, produced by the Ford Foundation, focusing on NARF, its staff, and certain NARF casework. The hour-long film rented from: Association Films, Ford Foundation Film, 866 Third Ave., New York, New York 10022 (212-935-4210). (16mm, FF110-\$50).

ANNUAL REPORT. This is NARF's major report on its program and activities. The Annual Report is distributed to foundations, major contributors, certain federal and state agencies, tribal clients, Native American organizations, and to others upon request.



National Support Committee

NARF is pleased to announce that James Garner, Edward Asner, Billy Mills, and Thomas N. Tureen have recently joined our National Support Committee. The NSC now has a membership of 25 national and internationally known people from the fields of art, politics, literature, and other areas of public service. Members provide invaluable assistance to NARF in its fund raising and visibility efforts.

Ed Asner was elected the 18th President of the Screen Actors Guild in 1981, a position he still holds. He divides his time between Guild duties, dramatic projects, and political and charitable causes. Mr. Asner is perhaps most widely recognized as newsman Lou Grant from the series "Off the Rack." Asner has received numerous awards for his acting roles in "The Mary Tyler Moore Show," "Rich Man, Poor Man," "Roots," and "Lou Grant." He has also received the Flame of Truth Award from the Fund for

Higher Education, the Woody Guthrie Humanitarian Award from the Southern California Alliance for Survival, the Tom Paine Award from the National Civil Liberties Union, the SANE Peace Award, and the (California) Governor's Committee for Employment of the Disabled Award.

James Garner, television star, became one of the industry's top attractions as the star of "Maverick." This series was followed by "Nicholas," and most recently, "The Rockford Files," top-rated for six straight seasons. Mr. Garner has appeared in more than 35 major motion pictures including "The Children's Hour," "The Great Escape," "Grand Prix," "Victor/Victoria," and "Murphy's Romance."

Billy Mills, Oglala Sioux, is an Olympic Gold Medalist and a successful business executive. He is president Billy Mills Insurance Services and is a nationally known motivational speaker talking before business, professional

and educational groups. Mr. Mills' athletic accomplishments were featured in a major motion picture about his life entitled "Running Brave" which highlighted his 10,000-meter run at the 1964 Olympics in Tokyo, Japan. He is the first and only American to win that event. Born and raised on the Pine Ridge Reservation, Mr. Mills was named to the U.S. Olympic Hall of Fame in 1984. He has recently appeared with Connie Stevens on behalf of the Windfeather Foundation to raise money for Indian projects on various reservations. On July 13, 1985 he appeared on the LIVE-AID world-wide broadcast to assist the famine relief project in Africa.

Thomas N. Tureen, attorney, co-founded the Portland, Maine law firm of Tureen and Margolin, which specializes

in Indian financial transactions. Mr. Tureen has successfully served as lead counsel in a large number of eastern Indian land claims. While a staff attorney at NARF from 1972-80, he was counsel to the Passamaquoddy Tribe and Penobscot Nation. That matter resulted in the Maine Land Claim Settlement Act, which awarded the Tribes \$81.5 million, the largest settlement to be awarded in the lower 48. Tureen received his B.A. degree from Princeton University in 1966 and his Juris Doctorate from George Washington University in 1969.

On behalf of the Steering Committee and staff, we would like to welcome Messieurs Asner, Garner, Mills, and Tureen to the National Support Committee of the Native American Rights Fund.

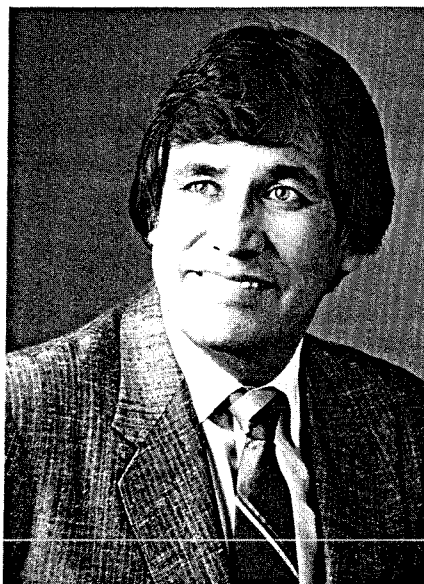
Ed Asner



James Garner



Billy Mills



Tom Tureen



Native American Rights Fund

The Native American Rights Fund is a nonprofit organization specializing in the protection of Indian rights. The priorities of NARF are: (1) the preservation of tribal existence; (2) the protection of tribal natural resources; (3) the promotion of human rights; (4) the accountability of governments to Native Americans; and (5) the development of Indian law.

Our work on behalf of thousands of America's Indians throughout the country is supported in large part by your generous contributions. Your participation makes a big difference in our ability to continue to meet the ever-increasing needs of impoverished Indian tribes, groups, and individuals. The support needed to sustain our nationwide program requires your continued assistance.

Requests for legal assistance, contributions, or other inquiries regarding NARF's services may be addressed to NARF's main office: 1506 Broadway, Boulder, Colorado 80302. Telephone: 303-447-8760.

Steering Committee

Chris McNeil, Jr., Chairman Tlingit
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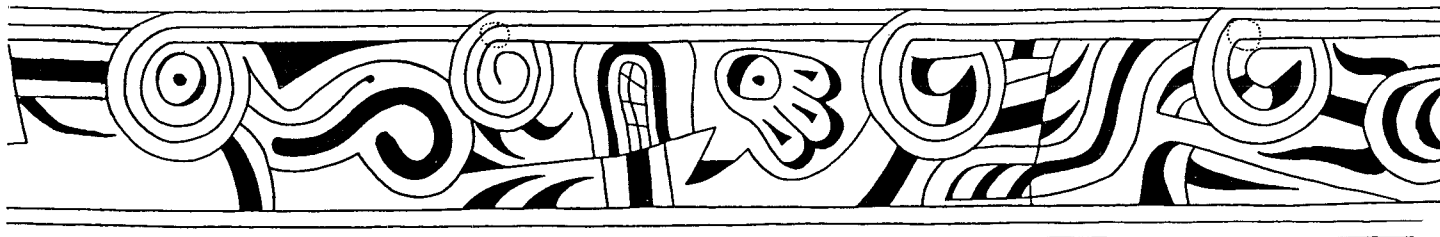
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OF GIFTS AND GIVING

Over the past year a number of tribes throughout the country have lent their support to our efforts with a sizeable contribution. In 1984, we had three tribal groups contributing to NARF. In 1985, we are pleased to be able to list eight tribes and Alaska Native villages. They include: the Alabama-Coushatta, Lac Courte Oreilles Chippewa, Pamunkey, Tlingit and Haida, Walker River Paiute, Hoopa and Southern Ute Tribes, and the Nome Eskimo Community.

In some cases, these tribes are current or former clients of ours. In other instances the support comes from tribes

and groups who feel that NARF's presence helps all Native American people regardless of whether we have worked directly with them.

To the above tribal groups listed and to those who have supported us in years past, thank you. We hope you—and others like you—will continue to help us so that we can help as many fellow Native American tribes, groups and villages as possible. Together we stand an even better chance of translating Indian legal rights into real progress.

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