



Legal Review

NATIVE AMERICAN RIGHTS FUND

Federal Court orders Alaska to provide language assistance to tribes

As previously reported in the Winter/Spring 2008 NARF Legal Review, in June of 2007 NARF and partners the ACLU of Alaska and the ACLU Voting Rights Project sued the State of Alaska Division of Elections and the City of Bethel for violating sections 203 and 208 of the Voting Rights Act of 1965 (as amended in 1975 to cover minority language speakers). The Plaintiffs are four Yup'ik speaking elders and four Tribal Councils (Kasigluk, Kwigillingok, Tuluksak and Tuntutuliak). Their concerns centered around the fact that the Bethel Census Area, where all Plaintiffs reside, is primarily a Yup'ik speaking area (according to the 2000 Census, almost 70% of the residents reported that the primary language spoken at home is Yup'ik) but there was little to no language assistance available at the polling places. As a result, many voters were hesitant to vote for fear they would vote in a way that they did not intend, and many skipped voting all together because they did not understand the ballot. This lawsuit, commonly called *Nick v. Bethel*, was brought to remedy those concerns. In order to try to get some relief in place for the important August primaries and November



general elections, the plaintiffs moved for a preliminary injunction requesting various types of language assistance.

On July 30 of this year, the Honorable Tim Burgess, United States District Judge granted the request for a preliminary injunction and ordered the state to institute the following changes immediately:

1. Provide mandatory poll worker training. Poll workers shall be instructed on the VRA's ►

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guarantees of language and voter assistance. In addition, poll workers serving as translators should be trained on the methods and tools available for providing complete and accurate translations.

2. **Hire a language assistance coordinator fluent in Yup'ik.** In addition to implementing the State's revised language assistance program in the Bethel region, the coordinator should act as a liaison to the tribal councils and Yup'ik-speaking community to ensure the State's efforts result in effective language assistance.
3. **Recruit bilingual poll workers or translators.** At least one poll worker or translator fluent in Yup'ik and English shall be assigned to each polling place within the Bethel census area for the upcoming State-run elections.
4. **Provide sample ballots in written Yup'ik.** At least one such ballot shall be available at each precinct within the Bethel census area to aid poll workers in translating ballot materials and instructions for Yup'ik-speaking voters with limited English proficiency.
5. **Provide pre-election publicity in Yup'ik.** Election-related announcements provided in English shall be broadcast or published in Yup'ik as well. Pre-election publicity should specifically inform Yup'ik speakers that language assistance will be available at all polling locations within the Bethel census area.
6. **Ensure the accuracy of translations.** The State must consult with Yup'ik language experts to ensure the accuracy of all translated election materials.
7. **Provide a Yup'ik glossary of election terms.** During oral argument, counsel for the State Defendants indicated that the State has already compiled a draft version of a Yup'ik glossary of election-related terms. At least one copy of this glossary shall be provided to each polling place within the Bethel census area to assist bilingual poll workers and translators.
8. **Submit pre-election and post-election progress reports.** The State Defendants shall

submit information on the status of efforts to comply with this Court-ordered program of relief and, more generally, the VRA's language and voter assistance provisions. The information should be specific and provided in a verifiable form, e.g., a precinct-by-precinct list of the names of designated bilingual poll workers or translators for the upcoming fall elections. Progress reports must be filed with the Court 15 days before each election (beginning with the August 26, 2008 statewide primary), and again 30 days after each election.

The relief ordered is unique in that, while other parts of the United States do offer ballots translated into Native languages, this is the first time a Court has ordered ballots written in a Native language outside the context of a consent decree. This is critical because, as the Plaintiffs demonstrated, the quality and accuracy of the translations varied from person to person and village to village largely because ballots often contain complicated language and legal terminology for which there is no precise translation. The well meaning pollworkers were often at a loss as to how to translate such complex English. The written ballot will provide a uniform, complete and accurate translation and will make serving as a translator at the polls easier because the translator can simply read aloud from the written translation.

Unfortunately, the Court denied Plaintiffs' request for federal observers and their request that there be posters in Yup'ik announcing that language assistance was available. Pursuant to the number 8 above, the State has filed reports with the Court regarding their progress in providing language assistance and the parties are currently evaluating what are the next steps. The Plaintiffs are extremely relieved that some of the long-awaited language assistance will be available in their villages and they hope to be able to fully participate in elections. 🌟

NARF Attorney Is One of Four Equal Justice Heroes to Receive National Awards at NLADA Annual Conference

The National Legal Aid & Defender Association (NLADA) honored four equal justice heroes, including Native American Rights Fund Attorney Steven Moore, at the NLADA 2008 Annual Conference Awards Luncheon on Friday, November 21, 2008 at the Marriott Wardman Park Hotel in Washington, DC. The awards to be presented include the Reginald Heber Smith Award, the Denison Ray Award, Arthur von Breisen Award and the Pierce-Hickerson Award.

Steven Moore is the 2008 winner of the Pierce-Hickerson Award. This award is given in recognition of outstanding contributions to the advancement or preservation of Native American rights. It pays homage to the legacies of Julian Pierce and Robert Hickerson for their outstanding advocacy in pursuit of justice for Native Americans. Pierce was a Lumbee Indian who served as executive director of Lumbee River Legal Services in Pembroke, North Carolina, from 1978 until 1988. Hickerson served as director of Alaska Legal Services Corporation for 20 years, and prior to that was director of the Oklahoma Legal Services Center.

Moore is a senior staff attorney for the Native American Rights Fund, where he has represented Indian tribes in complex litigation involving treaty fishing rights and implied federal Indian reserved water rights. He served as counsel for the Nez Perce Tribe in the Snake River Basin Adjudication in Idaho. A major settlement of the Nez Perce water

rights was enacted by Congress and signed by President Bush in 2004. He also represents the Tule River Tribe of California in its water rights settlement and the Kickapoo Tribe in Kansas in water litigation and settlement negotiations. His other work at NARF includes the protection of sacred lands, the repatriation of human remains and the protection of unmarked Native graves, the religious use of peyote by members of the Native American Church and the religious rights of Native prisoners. Prior to joining NARF, he represented tribes and individual Indians in northern Idaho as an attorney for Idaho Legal Aid Services, Inc. and represented the Confederated Salish and Kootenai Tribes of Montana. ☼



NARF Executive Director and two former NARF attorneys named to Obama transition team

Native American Rights Fund Executive Director, John Echohawk, and two former NARF attorneys have been named to serve on President-Elect Obama's agency transition team for the Department of Interior. The Agency Review Teams for the Obama-Biden Transition will complete a thorough review of key departments, agencies and commissions of the United States government, as well as the White House, to provide the President-elect, Vice President-elect, and key advisors with information needed to make strategic policy, budgetary, and personnel decisions prior to the inauguration. The Teams will ensure that senior appointees have the information necessary to complete the confirmation process, lead their departments, and begin implementing signature policy initiatives immediately after they are sworn in.

Echohawk, a Pawnee, is co-founder and executive director of the Native American Rights Fund, a nonprofit organization headquartered in Boulder, Colorado. NARF is the oldest and largest nonprofit national Indian rights organization in the country devoting all its efforts to defending and promoting the legal rights of Indian people. He has served continuously as executive director since 1977. Echohawk also served on the Clinton-Gore transition team in 1992. In 1995, the Clinton administration appointed Echohawk to the Western Water Policy Review Advisory Commission. He was the first graduate of the University of New Mexico's special program to train Indian lawyers and while in law school became a founding member of the American Indian Law Students Association.

Another Indian-rights activist will join Echohawk on the Interior transition team. Robert Anderson is currently an associate professor and director of the Native American Law Center at the University of Washington law

school. A member of the Minnesota Chippewa Tribe, he previously was a senior staff attorney for the Native American Rights Fund for 12 years in Boulder, Colorado, and Anchorage, Alaska. He litigated major cases involving Native American sovereignty, hunting and fishing rights, and natural resources. Anderson also worked from 1995 to 2001 for Interior Secretary Bruce Babbitt, providing legal and policy advice on a variety of Indian law and natural resource issues.

Keith Harper, a member of the Cherokee Nation of Oklahoma, has represented the plaintiffs in *Cobell v. Kempthorne* since the inception of the case. The class-action lawsuit against the Interior Department spans decades of mismanagement of multibillion-dollar Indian trust fund accounts. He also chairs the Native American Practice Group at Kilpatrick Stockton LLP and previously served as head of the Washington office of the Native American Rights Fund.

John Echohawk will be on personal leave from the Native American Rights Fund during his period of service to the transition team. For more information, please contact the Obama-Biden Transition Team. ☼



CASE UPDATES

Victory for Native American Religious Freedom

On November 19, 2008 the ACLU of Louisiana (ACLU) and the Native American Rights' Fund in Boulder, Colorado (NARF) announced a victory on behalf of a Native American child attending public school in St. Tammany Parish. Curtis Harjo is a five-year-old Native American child who wears his hair in a neat braid down his back. The Harjo's religion, like that of many Native Americans, includes a belief that hair should not be cut, except as a symbol of mourning upon the death of a loved one. The principal at Curtis' elementary school advised his mother that he would be required to cut his hair to continue to attend school even though to do so would violate his family's religion.

The ACLU and NARF represented Curtis and his mother, Joni, in their fight to stand up for the rights of all Americans to exercise their religion, and to express themselves culturally. The principal rejected the Harjo's request for an exemption to the dress code. The Harjos appealed, but the Superintendent of Schools, Gayle Sloan, ruled that Curtis could only attend school if he wore his hair in a bun. Because doing so still suggests that Curtis must hide his religious beliefs, the Harjos appealed that decision to the St. Tammany Parish School Board, in the letter attached.

The ACLU learned that Superintendent Sloan reversed her previous decision, and has decided to allow Curtis to attend school and continue to wear his hair in the single neat braid with which he began the school year, and which is consistent with his religious principles.

"We are so glad that Curtis Harjo and his family bravely stood up for their religious and cultural rights," said Katie Schwartzmann, ACLU of Louisiana Legal Director. "All religions are equally deserving of respect and protection. Curtis should be allowed to wear his hair in keeping with his religious and cultural identity,



just as a Christian student should be allowed to wear a crucifix to school. The Constitution protects the rights of all children and parents."

"We just wanted Curtis to be able to go to school without prejudice," said Joni Harjo, mother of five-year-old Curtis Harjo. "It might seem to some people that Native Americans are gone, but we are not. We are still here, and I think we just had to open the school's eyes to that. It is very important for Curtis to be able to go to school and be himself. We are so happy."

Steven Moore, an attorney with the Native American Rights Fund, stated, "we at the Native American Rights Fund are pleased that Superintendent Sloan made the correct and just decision here. It shows that she paid careful attention to the facts, especially to the sincerely held beliefs of the Harjo family, in reaching her decision. This sets an important precedent in St. Tammany Parish, and throughout the United States, where local school districts are asked to understand, respect and work with the beliefs and traditions of Indian people with school age children. We are elated for Joni Harjo and her son, Curtis, and their family."

The Harjo family was represented by Katie Schwartzmann, Legal Director of the ACLU of Louisiana, Stephen Pevar from the National Office of the ACLU, and Steve Moore of the Native American Rights' Fund.



New Supreme Court Term May Prove to be Another Difficult Period for Indian Country

The Tribal Supreme Court Project is part of the Tribal Sovereignty Protection Initiative and is staffed by the National Congress of American Indians (NCAI) and the Native American Rights Fund (NARF). The Project was formed in 2001 in response to a series of U.S. Supreme Court cases that negatively affected tribal sovereignty. The purpose of the Project is to promote greater coordination and to improve strategy on litigation that may affect the rights of all Indian tribes. We encourage Indian tribes and their attorneys to contact the Project in our effort to coordinate resources, develop strategy and prepare briefs, especially at the time of the petition for a writ of certiorari, prior to the Supreme Court accepting a case for review.

On October 6, 2008, Chief Justice John Roberts convened the October 2008 Term of the U.S. Supreme Court—a term which may prove to be another difficult period for Indian country. During its opening conference of September 29, 2008, the Court considered eight (8) petitions for writ of certiorari involving questions of Indian law. Unfortunately, the Court granted review in two Indian law cases—both of which involve lower court decisions favorable to Indian country.

First, in *United States v. Navajo Nation*, the Court granted review of a decision by the U.S. Court of Appeals for the Federal Circuit which concluded that under the network of federal statutes and regulations relied upon by the Navajo Nation, there are substantive sources of law that establish specific trust duties that mandate compensation for breach of those duties. The Federal Circuit held that the “Navajo Nation has a cognizable money claim against the United States for the alleged breaches of trust and that the government breached its trust duties.” This case is part of the on-going litigation between

the Navajo Nation and the United States which reached the Supreme Court in 2003 on the question of whether the Indian Mineral Leasing Act of 1938 (IMLA) and its implementing regulations constituted the requisite substantive source of law. Holding that the IMLA did not constitute the requisite substantive source of law, the Court remanded the case for further proceedings on the question of whether other federal statutes and regulations provided the required source of law. The questions presented are: (1) “Whether the court of appeals’ holding that the United States breached fiduciary duties in connection with the Navajo coal lease amendments is foreclosed by *Navajo*”; and (2) “If *Navajo* did not foreclose the question, whether the court of appeals properly held that the United States is liable as a matter of law to the Navajo Nation for up to \$600 million for the Secretary’s actions in connection with his approval of amendments to an Indian mineral lease based on several statutes that do not address royalty rates in tribal leases and common-law principles not embodied in a governing statute or regulation.”

The federal government filed its opening brief on the merits on November 26, 2008. Peabody Coal Company and Southern California Edison Company jointly filed an amicus brief in support of the United States on December 3, 2008. The Navajo Nation’s response brief is due January 9, 2009, and amicus briefs in support of the Navajo Nation are due on January 16, 2009. Oral argument has been scheduled for Monday, February 23, 2009.

Second, in *State of Hawaii v. Office of Hawaiian Affairs*, the Court granted review of a decision by the Supreme Court of Hawaii which reversed the lower state court and held that the State of Hawaii should be enjoined from selling

or transferring “ceded lands” held in trust until the claims of the native Hawaiians to the such lands have been resolved. The Supreme Court of Hawaii based its decision, in principal part, on the Apology Resolution adopted by Congress in 1993 which gives “rise to the State’s fiduciary duty to preserve the corpus of the public lands trust, specifically, the ceded lands, until such time as the unrelinquished claims of the native Hawaiians has been resolved.” The question presented is: “In the Joint Resolution to Acknowledge the 100th Anniversary of the January 17, 1893 Overthrow of the Kingdom of Hawaii, Congress acknowledged and apologized for the United States’ role in that overthrow. The question here is whether this symbolic resolution strips Hawaii of its sovereign authority to sell, exchange, or transfer 1.2 million acres of state land-29 percent of the total land area of the State and almost all the land owned by the State-unless and until it reaches a political settlement with native Hawaiians about the status of that land.” In 2000, while in private practice, Chief Justice Roberts represented the State of Hawaii in *Rice v. Cayetano*, a case involving the status of native Hawaiians in which the Court held against Native interests. No doubt, the questions presented in this case are of keen interest to the Chief Justice.

Finally, on February 25, 2008, the U.S. Supreme Court granted review in *Carcieri v. Kemptorne*, a decision by the en banc panel of U.S. Court of Appeals for the First Circuit which upheld the authority of the Secretary of Interior to take land into trust for the Narragansett Tribe under Section 5 of the Indian Reorganization Act (IRA) over the objections of the State of Rhode Island. The Supreme Court granted review on the first two questions presented within the State’s petition for writ of certiorari: (1) “Whether the 1934 Act empowers the Secretary to take land into trust for Indian tribes that were not recognized and under federal jurisdiction in 1934” (*i.e.* whether the IRA and its benefits apply only to tribes that were “now under federal recognition” in 1934); and (2)

“Whether an act of Congress that extinguishes aboriginal title and all claims based on Indian rights and interests in land precludes the Secretary from creating Indian country there” (*i.e.* whether the Rhode Island Settlement Act creates an implicit limitation on the Secretary’s land to trust authority). The Court did not grant review of the third question presented: (3) “Whether providing land “for Indians” in the 1934 Act establishes a sufficiently intelligible principle upon which to delegate the power to take land into trust” (*i.e.* whether Section 5 of the IRA is an unconstitutional delegation of legislative authority).

Rhode Island’s arguments threaten the land and sovereignty of all Indian tribes. Rhode Island’s opening brief was filed on June 6, 2008, and a group of twenty-one (21) state Attorney Generals filed an amicus brief prepared by the State of Connecticut in support of the State of Rhode Island. In addition, an amicus brief on behalf of the Council of State Governments, the National Conference of State Legislatures, the National League of Cities and others was also filed as part of a coordinated strategy to mount additional legal challenges to the acquisition of trust land for the benefit of Indians and Indian tribes. The U.S. filed its response brief on August 18, 2008. The Tribal Supreme Court Project coordinated the preparation of four tribal amicus briefs which were filed on August 25, 2008: (1) the Narragansett Tribe amicus brief addressing issues arising under the Rhode Island Settlement Act; (2) the NCAI-Tribal amicus brief addressing issues arising under the Indian Reorganization Act; (3) the Indian Law Professors’ amicus brief providing information to the Court regarding the concept of “federal recognition” and development of the federal acknowledgment process; and (4) the Historians’ amicus brief providing information to the Court regarding the history and development of federal policies leading up to the Indian Reorganization Act. Oral argument was held on November 3, 2008. ❁

NEW BOARD MEMBERS

Richard Luarkie is from the Pueblo of Laguna and is currently serving as the Pueblo's First Lieutenant Governor. Prior to serving in this role, Richard served as a member of the tribal council. Over the years he has also acquired experience in other areas of Pueblo leadership as Tribal village official; Board of Directors, Laguna Rainbow Center; Board of Directors, Laguna Industries, Inc.; Board of Directors, Laguna Education Foundation; Advisory Committee, Sandia National Laboratories Small Business Advisory Board; and a 2008 Leadership New Mexico Participant.

Richard Luarkie is also President and CEO of Digital Migration, Inc., a company designed to provide organizational leadership in a manner that encourages creative and practical solutions to business challenges. The primary clients of his firm include the Department of Defense, the U.S. Forest Service, Los Alamos National Laboratories, the Department of Energy - NNSA, Indian Health Service, and the Bureau of Reclamation just to name a few.

Richard has a BA in Economics from the University of New Mexico, and an MBA from New Mexico State University with a concentration in Strategy and Business Development. His professional employment experience includes DataCom Sciences, Inc., Uniband, Inc., American Management Systems, Inc., and AT&T Advanced Network Products and Services - Global Strategy and Business Development.

Gerald L. Danforth was born and raised on the Oneida Indian Reservation in Wisconsin. Gerald served in the United States Navy from 1964 until 1994. At his retirement he was serving as Force Master Chief, Naval Surface Force for the U.S. Atlantic Fleet. Gerald returned to his home on the Oneida Reservation in Wisconsin in 1994, and in 1995 he was elected to a four-year term as a Judicial Officer of the Oneida Appeals Commission where he presided over civil cases within the jurisdiction of the Oneida Tribe. Gerald served on the Oneida Appeals Commission until he was elected as Chairman of the Oneida Tribe in 1999.

In 2002, semi-retired, Gerald began performing independent consulting for the National Indian Gaming Association (NIGA). Working with Indian gaming regulators and gaming surveillance personnel, Gerald designed and developed an internet-based security network (eagleintel.com). Gerald was re-elected as Chairman of the Oneida Tribe in 2005 and served in that capacity until his retirement in August 2008. He has since began consulting once again with NIGA, and with the Great Lakes Inter-Tribal Council and its Native American Tourism of Wisconsin Initiative.

Miko Beasley Denson, "Miko" is the Mississippi Choctaw word for "leader," assumes the responsibilities of his tribal office with extensive experience in tribal govern-

ment and tribal industry. He was first elected to the Tribal Council in 1975. During his five terms, he served as both Secretary Treasurer and Vice-Chief. He has served as Chairman of the Tribal School Board for eight years, of the Housing Authority for ten years, the Choctaw Credit Union for two years, was on the Board of Directors for Chahta Wire Harness, Choctaw Development Company, Choctaw Electronic Enterprise, Choctaw Manufacturing Enterprise and the Choctaw Utility Commission. He also served on the Choctaw Gaming Commission for two years and was an officer on the National Indian Education Association Board and the Board of Directors for United Southeastern Tribes.

Miko Denson strives to bring a fresh energy and passion for improving life on the reservation. He is diligently working to reduce the backlog of tribal housing, improve the health care system and upgrade the Tribe's educational facilities.

Ron His Horse Is Thunder, "Tasunka Wakinyan," is a member of the Hunkpapa-Lakota Oyate and currently serves as the Tribal Chairman of the Standing Rock Sioux Tribe. In this capacity, he also is the Chairman of the Great Plains Tribal Chairman's Association.

In 1985, he received a Bachelor of Science degree from Black Hills State University and in 1988, he received his Juris Doctorate from the University of South Dakota School of Law. His Horse Is Thunder began his career by serving in several professional capacities, e.g., as an attorney, director, and grants evaluator on the Rosebud and Standing Rock Sioux reservations. From 1991-1993, he served as President of Standing Rock College where he was responsible for the overall college operations. He took two years off as President of Standing Rock College and headed the American Indian College Fund based in New York, New York, where he served as the President from 1993 until 1995. In 1995, he accepted the position of President at Little Hoop Community College in Fort Totten, North Dakota. Returning to the presidency of Sitting Bull College (formally Standing Rock College) in 1996, His Horse Is Thunder served in this capacity until his election as Tribal Chairman in 2005.

His Horse Is Thunder has served as a commissioner for the Higher Learning Commission for the North Central Accreditation for Schools and Colleges. He also served on the boards of the American Indian Higher Education Consortium and the North Dakota Tribal College Association. In 2002, President George W. Bush appointed him as Chairman of the President's Board of Advisors on Tribal Colleges and Universities of which he continues to serve today.

The NARF Board of Directors and staff welcomes Richard Luarkie, Gerald Danforth, Miko Denson, and Ron His Horse Is Thunder to the NARF family. We all look forward to working with each one of them.

CALLING TRIBES TO ACTION!

It has been made abundantly clear that non-Indian philanthropy can no longer sustain NARF's work. Federal funds for specific projects are also being reduced at drastic rates. Our ability to provide legal advocacy in a wide variety of areas such as religious freedom, the Tribal Supreme Court Project, tribal recognition, human rights, trust responsibility, tribal water rights, Indian Child Welfare Act, and on Alaska tribal sovereignty issues has been compromised. NARF is now turning to the tribes to provide this crucial funding to continue our legal advocacy on behalf of Indian Country. It is an honor

to list those Tribes and Native organizations who have chosen to share their good fortunes with the Native American Rights Fund and the thousands of Indian clients we have served. The generosity of Tribes is crucial in NARF's struggle to ensure the future of all Native Americans. We encourage other Tribes to become contributors and partners with NARF in fighting for justice for our people and in keeping the vision of our ancestors alive. We thank the following tribes and Native organizations for their generous support of NARF during our 2008 fiscal year – October 1, 2007 to September 30, 2008:

- Americans for Indian Opportunity
- Ahtna, Inc.
- Ak Chin Indian Community
- Bear River Band of Rohnerville Rancheria
- Chickasaw Nation
- Chitimacha Tribe of Louisiana
- Chumash Casino
- Cow Creek Band of Umpqua Indians
- Eagle Opportunity Alliance
- Fond du Lac Band of Lake Superior Chippewa
- Fort McDowell Yavapai Nation
- Institute of American Indian Arts
- Keweenaw Bay Indian Community
- Little Traverse Bay Band of Odawa Indians
- Lower Sioux Indian Community of Minnesota
- Manilaq Association
- Mashantucket Pequot
- Miccosukee Indian Gaming
- Native American Bank
- Native Americans in Philanthropy
- Nez Perce Tribe
- Oneida Tribe of Indians of Wisconsin
- Rumsey Indian Rancheria
- Sac and Fox Nation
- San Manuel Band of Mission Indians
- Seminole Tribe of Florida
- Seneca Nation of Indians
- Seven Cedars Casino
- Shakopee Mdewakanton Sioux Community of Minnesota
- Siletz Tribe
- Sycuan Band of Kumeyaay
- Table Mountain Rancheria
- Tulalip Tribes
- Viejas Band of Kumeyaay Indians
- Yurok Tribe

National Indian Law Library

Your Information Partner!

About the Library

The National Indian Law Library (NILL) located at the Native American Rights Fund in Boulder, Colorado is a national public library serving people across the United States. Since 1972 NILL has collected nearly 9,000 resource materials that relate to federal Indian and tribal law. The Library's holdings include the largest collection of tribal codes, ordinances and constitutions in the United States; legal pleadings from major American Indian cases; law review articles on Indian law topics; handbooks; conference materials; and government documents.

Library Services

Information access and delivery: Library users can access the searchable catalog which includes bibliographic descriptions of the library holdings by going directly to: <http://www.narf.org/nill/index.htm> or by accessing the catalog through the National Indian Law Library/Catalog link on the Native American Rights Fund website at www.narf.org. Once relevant materials are identified, library patrons can then choose to request copies or borrow materials through interlibrary loan for a nominal fee.

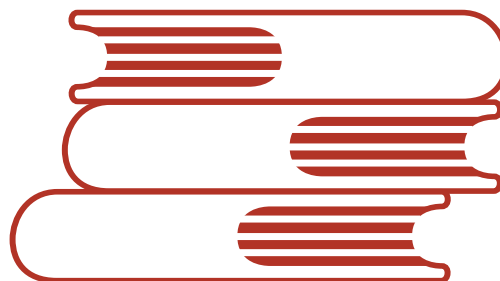
Research assistance: In addition to making its catalog and extensive collection available to the public, the National Indian Law Library provides reference and research assistance relating to Indian law and tribal law. The library offers free assistance as well as customized research for a nominal fee.

Keep up with changes in Indian law with NILL's Indian Law Bulletins: The Indian Law Bulletins are published by NILL in an effort keep NARF and the public informed about Indian law developments. NILL publishes timely bulletins covering new Indian law cases, U.S. regulatory action, law review articles, and news on its web site. (See: <http://www.narf.org/nill/bulletins/ilb.htm>) New bulletins are published on a regular basis, usually every week and older information is moved to the bulletin archive pages. When new



information is published, NILL sends out brief announcements and a link to the newly revised bulletin page via e-mail. Send an e-mail to David Selden at dselden@narf.org if you would like to subscribe to the Indian Law Bulletin service. The service is free of charge!

Support the Library: The National Indian Law Library is unique in that it serves the public but is *not* supported by local or federal tax revenue. NILL is a project of the Native American Rights Fund and relies on private contributions from people like you. For information on how you can support the library or become a sponsor of a special project, please contact David Selden, the Law Librarian at 303-447-8760 or dselden@narf.org. For more information about NILL, visit: <http://www.narf.org/nill/index.htm>. Local patrons can visit the library at 1522 Broadway, Boulder, Colorado. 🌟



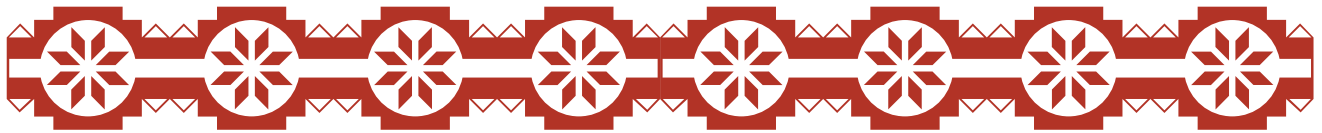
THE NATIVE AMERICAN RIGHTS FUND

The Native American Rights Fund (NARF) was founded in 1970 to address the need for legal assistance on the major issues facing Indian country. The critical Indian issues of survival of the tribes and Native American people are not new, but are the same issues of survival that have merely evolved over the centuries. As NARF is in its thirty-eighth year of existence, it can be acknowledged that many of the gains achieved in Indian country over those years are directly attributable to the efforts and commitment of the present and past clients and members of NARF's Board and staff. However, no matter how many gains have been achieved, NARF is still addressing the same basic issues that caused NARF to be founded originally. Since the inception of this Nation, there has been a systematic attack on tribal rights that continues to this day. For every victory, a new challenge to tribal sovereignty arises from state and local governments, Congress, or the courts. The continuing lack of understanding, and in some cases lack of respect, for the sovereign attributes of Indian nations has made it necessary for NARF to continue fighting.

NARF strives to protect the most important rights of Indian people within the limit of available resources. To achieve this goal, NARF's Board of Directors defined five priority areas for NARF's work: (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 and educating the public about Indian rights, laws, and issues.

Requests for legal assistance should be addressed to NARF's main office at 1506 Broadway, Boulder, Colorado 80302. NARF's clients are expected to pay whatever they can toward the costs of legal representation.

NARF's success could not have been achieved without the financial support that we have received from throughout the nation. Your participation makes a big difference in our ability to continue to meet ever-increasing needs of impoverished Indian tribes, groups and individuals. The support needed to sustain our nationwide program requires your continued assistance.



NARF Annual Report. This is NARF's major report on its programs 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. Ray Ramirez Editor, ramirez@narf.org.

The NARF Legal Review is published biannually by the Native American Rights Fund. Third class postage paid at Boulder, Colorado. Ray Ramirez, Editor, ramirez@narf.org. There is no charge for subscriptions, however, contributions are appreciated.

Tax Status. The Native American Rights Fund is a non-profit, charitable organization incorporated in 1971 under the laws of the District of Columbia. NARF is exempt from federal income tax under the provisions of Section 501 C (3) of the Internal Revenue Code, and contributions to NARF are tax deductible. The Internal

Revenue Service has ruled that NARF is not a "private foundation" as defined in Section 509(a) of the Internal Revenue Code.

Main Office:

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