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Konkow Valley Band to have Salmon Ceremony Saturday By Staff Reports 09/19/2012 01:15:02 AM PDT

OROVILLE — The Konkow Valley Band of Maidu will hold its annual Salmon Ceremony on Saturday to start the 2012 Oroville Salmon Festival.

The ceremony will be held at 10 a.m. at Oroville Nature Center, across the river from Feather River Fish Hatchery at Montgomery and Washington streets.

Activities will include traditional native dances, music, vendors, raffles and a free salmon dinner available at noon. The dinner will include smoked salmon filets, macaroni and potato salads, rolls and dessert.

Spearfishing will be available at Riverbend Park, below Randy Jennings bridge, 1875 Feather River Blvd. Fishing licenses are required. For information call Patsy Seek at 533-1504 or John Clark at 518-1644.

The festival will continue Friday with the Friends of the Feather River Nature Center hosting a benefit dinner and dance at the nature center, and continuing Saturday during the Downtown Oroville Street Fair. Sunday, the Bounty of Butte County will be held on the grounds of Lott House and Sank Park. For information, visit <u>www.salmonfestoroville.org.</u>

The National Park Service is advertising the following job announcements (note closing):

Cultural Anthropologist:

Journal #2684

The National Park Service, Intermountain Region, Office of Indian Affairs and American Culture is seeking a permanent, full-time Cultural Anthropologist to direct an intricate program of cultural anthropology/ ethnography activities that involve sensitive and complex issues that may impact a wide variety of park issues.

JOB ANNOUNCEMENT NUMBER: IMDE-12-302SALARY RANGE: \$61,612 to \$96,001 / per yearOPEN PERIOD: Wed., Sept. 12, to Fri., Sept. 21, 2012SERIES & GRADE: GS-0190-11/12DUTY LOCATIONS: Lakewood, ColoradoClick here for www.usajobs.gov listing with all information:

https://www.usajobs.gov/GetJob/ViewDetails/325878600

Supervisory Anthropologist:

Major Duties: As the Senior Anthropologist, you will be responsible for (excerpt):

Leading the Tribal Relations and American Cultures division in Washington and be the senior anthropologist among those in the National Park Service working with diverse communities such as Native Americans, Alaska Natives, and Native Hawaiians, as well as other groups culturally affiliated with park units.

JOB ANNOUNCEMENT NUMBER: 12-226 (SR724077) SALARY RANGE: \$105,211 to \$155,500 / OPEN PERIOD: Fri., Aug. 10, to Mon., Oct. 01, 2012 (extended) SERIES & GRADE: GS-0190-14/15 DUTY LOCATION: Washington, DC Click here for www.usajobs.gov listing with all information:

https://www.usajobs.gov/GetJob/ViewDetails/323778100

Chimney Rock to be monument 09/19/2012 By Allison Sherry The Denver Post

WASHINGTON — President Barack Obama will designate Chimney Rock as a national monument Friday — a move that will help preserve the 4,726 acres in southwestern Colorado, administration officials told The Denver Post Wednesday.

Chimney Rock is composed of a chunk of the San Juan National Forest and is surrounded by the Southern Ute Indian Reservation.

The land will be managed by the United States Department of Agriculture and the Forest Service and White House officials said they will work with the tribes in the area.

Ranchers who use the area for grazing will maintain those rights as well, administration officials said.

The site is deeply spiritual to the Puebloan people and other tribes. Ancestors used the rock to see "lunar standstills" — a phenomenon that only happens every 18.6 years when the moon rises exactly between the two stone pillars of Chimney Rock.

Both Republicans and Democrats in Congress has been working on this designation for two years, but it had stalled in the U.S. Senate.

"For the last three years we've been making that case to Congress and more recently we've been urging the administration to use its authority under the Antiquities Act," said Sen. Michael Bennet, a Democrat.

"Making Chimney Rock a national monument will be an extraordinary boost for the region by preserving and protecting the site and driving tourism, which would draw more visitors and bring more dollars into the local, regional and state economies."

Rep. Scott Tipton, R-Cortez, who represents the area, sponsored a bill that passed the U.S. House of Representatives in May. Bennet and Sen. Mark Udall, a Democrat, co-sponsored companion legislation in the U.S. Senate, but it never passed.

"I'm a strong believer that this and all public lands designations be locally driven, and as such the preferred method to advance this designation would be through legislation," Tipton said, in a statement. "That said, I'm ultimately pleased to see a Chimney Rock National Monument becoming a reality."

Tipton and Bennet sent a letter to Obama in April, urging him to begin a dialogue with the local community to explore all options to give the Chimney Rock archeological site distinction. The same month, the pair also hosted a listening session with community leaders.

This is the third designation Obama has made under the Antiquities Act.

Read more: <u>Chimney Rock to be monument - The Denver Post http://www.denverpost.com/</u> <u>nationalpolitics/ci_21583924/obama-designate-chimney-rock-national-monument-</u> <u>friday#ixzz271WkXqsf</u>

It's with a heavy heart that I write to you today.

Last week, ten bison from Fort Peck Indian Reservation died as the result of a terrible wildfire. The fire is a tragic blow to the tribes of Fort Peck Reservation and to this herd that you helped move to this location just six months ago — a herd that contains some of the last true, wild bison in America.

We need your help to rush emergency funds to repair the tribes' bison reserve and help care for the 72 surviving animals.

You probably shared my excitement when this group of Yellowstone bison completed their 500mile journey to Fort Peck Indian Reservation after spending years in confined captivity. *This historic relocation -- thanks to the Sioux and Assiniboine tribes of Fort Peck Reservation -- paved the way for these magnificent animals' return to the Great Plains.* This fire is a major setback for this conservation achievement.

The wildfire consumed more than 14,000 acres within Fort Peck Reservation — *burning most of the 2,100 acres of rolling pasture these bison call home.*

But you can help today with an urgent gift!

Your donation will help rebuild the bison reserve's enclosure for the 72 animals that survived the blaze as well as protect other critically endangered wildlife.

Barely 150 years ago, millions of bison thundered across the Great Plains — they were possibly the most abundant large land animal on earth. The slaughter that drove them to near extinction is one of our country's saddest chapters, *and today only a few thousand of these true, wild bison remain.*

The Fort Peck herd is meant to be the beginning of a new day for bison on the Great Plains. This fire is a setback, **but with your help, Defenders will continue to work with the tribes at Fort Peck to build on our past success and continue this critical and historic conservation effort.** But we can't do it without your support.

Please help with an urgent gift today.

Sincerely, Jonathan Proctor, Rockies and Plains Representative, Defenders of Wildlife

LIA LEE, 1982-2012

Life Went on Around Her, Redefining Care by Bridging a Divide By MARGALIT FOX

The story of Lia Lee, the severely brain-damaged daughter of Hmong refugees, inspired a book that affected the way American medicine is practiced across cultures.

http://www.fema.gov/fema-corps

http://www.americorps.gov/about/programs/nccc.asp http://www.fema.gov/news-release/nations-first-fema-corps-members-sworn-begin-disasterresponse-service

"Nation's First FEMA Corps Members Sworn In to Begin Disaster Response Service"

VICKSBURG, Miss.-- A historic new collaboration between two federal agencies to strengthen the nation's disaster response capabilities was launched today as the nation's first 240 FEMA Corps members were sworn into service at an induction ceremony in Vicksburg, Mississippi.

FEMA Corps is an innovative partnership between the Federal Emergency Management Agency (FEMA) and the Corporation for National and Community Service

Established as a new unit within the existing AmeriCorps National Civilian Community Corps (NCCC), FEMA Corps engages young adults ages 18 to 24 to provide ten months of full-time service on disaster response and recovery projects. ...

...FEMA Deputy Administrator Richard Serino and CNCS CEO Wendy Spencer were on hand to welcome the members and thank them for their commitment to service.

"When I visit communities devastated by disasters like Joplin, Mo., I always find members of AmeriCorps lending a helping hand to survivors," said Serino. **"Today's inductees are taking part in an exciting new pursuit -- combining the exceptional record of citizen service at AmeriCorps NCCC with FEMA's specialized mission of supporting survivors with their recovery after a disaster.** I commend and thank every member of the inaugural class of FEMA Corps for their dedication to helping communities in need."

"I commend you for answering the call to serve and making a difference for people and communities in need," said Spencer. "As the nation's very first FEMA Corps members, you are helping write a new chapter in the history of national service. With your training, backed by your team, and inspired by your passion, you will bring much-needed hope and assistance to disasters survivors...."

...FEMA Corps members will be based out of five AmeriCorps NCCC campuses across the country: Sacramento, Calif.; Denver, Colo.; Vinton, Iowa; Perry Point, Md.; and, Vicksburg, Miss. The program will engage 1,600 members annually when fully operational next year.

To learn more about FEMA Corps or to apply (individuals aged 18-24), visit AmeriCorps website <u>www.americorps.gov/about/programs/nccc.asp</u> or FEMA's website at <u>www.fema.gov</u>."

Reading List - Part III

Public Lands and CoManagement

Curt Sholar. Note: **"Glacier National Park and the Blackfoot Nation's Reserved Rights: Does a Valid Tribal Co-Management Authority Exist?,"** 29 Am. Indian L. Rev. 151 (2004-05)

The Blackfoot Nation, geographically located within northwestern Montana, has long asserted that it has never relinquished its treaty-reserved hunting, fishing, and gathering rights within the original western range of its reservation lands. ... Prior to the act of May 11, 1910, the Indians of the Blackfeet Reservation did not exercise to any appreciable extent the rights reserved in the aforesaid agreement of September 26, 1895, to hunt and fish in and remove timber from the land ceded in the agreement, and such rights were authoritatively terminated by the limitations of the act of May 11, 1910. ... It was only with the decision on the second issue in Peterson, which held that Glacier National Park's goal of wildlife conservation was inconsistent with Indian hunting rights, that the Blackfoot Nation's treaty reserved right to hunt within the park was abrogated. ... In United States v. Peterson, the court solidified the prohibition on hunting when it held that, "[t]he language of the statute ... reflect[s] 'an unmistakable and explicit legislative policy choice' that the Blackfoot Tribe should not be allowed to hunt in any portion of the Park under any circumstances. ... The Blackfoot Nation's treaty-reserved right to fish within the eastern portion of Glacier National Park should also include the right to protect the habitat upon which the exercise of the reserved right depends.

Erin Patrick Lyons, "'Give Me a Home Where the Buffalo Roam': The Case in Favor of the Management-Function Transfer of the National Bison Range to the Confederated Salish and Kootenai Tribes of the Flathead Nation," J. Gender Race & Just. 711(winter 2005)

The Flathead Indian Reservation sits on over one million acres of wooded mountains and tranquil valleys carved out of beautiful Montana ranch land just west of the Continental Divide. ... The Federal Register points out that the above listed functions are not "all-inclusive," but rather "representative," meaning that there remains a significant amount of room for negotiation pursuant to the mandate of the amendments. That wording appears to leave significant room for the tribes and the Fish & Wildlife Service to negotiate the CSKT's future role in the management of the National Bison Range Complex. ... The tribes are understandably troubled that in the heart of their federally-guaranteed ancestral land, they have had no say whatsoever in the management of a resource that would not exist but for the efforts of the ancestors of tribe members. ... The federal government should follow through with the opportunity represented by the draft annual funding agreement and carry out the proposed management function transfer. ... The CSKT have also established their own special conservation areas for grizzly bears, elk, and bighorn sheep on the reservation. ... " Thus, the federal government and the CSKT will continue to manage the National Bison Range and its affiliated wildlife refuges in a manner consistent with the ongoing mission of wildlife conservation.

Peter Nabokov and Lawrence Loendorf, *Restoring a Presence: American Indians and Yellowstone National Park* (Norman: University of Oklahoma Press, 2004).

One reviewer [*Amer. Ind. Cult. & Res. J., 29:3(2005): 165-168*] notes that this book was preceded by a report on the same subject, commissioned by the NPS. The authors demonstrate that Yellowstone was a significant place to various Indian groups. These Indians include: the Crow, Blackfeet, Flathead, Bannock, Nez Perce, and the Shoshone. The greater part of the book focuses on culture history, but its reviewer suggests it "....is not especially valuable for those hoping critically to comprehend the long history of relations between the NPS and American Indian tribes, in Yellowstone or more broadly." Furthermore, it is noted that "...promotional materials that Yellowstone stands out as an egregious example of poor NPS-tribes relations...is not addressed in the text..."

Rena Martin, **"Native Connection to Place: Policies and Play,"** *American Indian Qtly*, 25:1 (wn 2001): 35-40.

(Adapted from Humanities Abstracts): Discussion of the connections Native Americans feel toward certain places focuses on the Navajo and their homeland. The author contends that there is a difference in how natives and non-natives utilize such words as 'connection'' or "ties." The article reviews public lands and native cultural places, the separation of culture and landscape, the way federal laws affect tribal peoples, and tribal traditions and values are reviewed. The author had experience in consultation reporting.

Tonia Woods Horton, **"Indian Lands, American Landscapes: Toward a Genealogy** of Place in National Parks." Ph. D. dissertation, Arizona State University, 2003. Interdisciplinary study of interpretations of nineteenth- and twentieth-century landscape history and Native American history in the cultural resources management policies implemented at Mesa Verde National Park in Colorado, Glacier Bay National Park in Alaska, and Little Bighorn Battlefield National Monument in Montana. Topics discussed include national identity, sense of place, public history, landscape architecture, anthropology, ethnohistory, cultural geography, environmental history, and Native American history.

Cultural Resource Preservation

Lauryne Wright, "Cultural Resource Preservation Law: The Enhanced Focus on American Indians," 54 Air Force Law Review, 131 (2004)

Protected cultural rights of American Indian include control over the disposition of human remains, the return or repatriation of objects of cultural patrimony, religious freedom and the practice of sacred rituals, access to sacred sites on federal property, and consultation with federal agencies regarding preservation and protection of cultural resources. ..Tribes must be notified 30 days prior to issuance of a permit if excavation may result in harm to a tribal, religious, or cultural site. ... Military installations encompassing archaeological sites must strive to balance the right of public access with preservation and protection responsibilities, including Indian tribe requests for non-

disclosure of site locations for religious or cultural reasons. ... The purpose of such consultation is to positively identify and confirm that what has been discovered is in fact a cultural item subject to disposition under NAGPRA. ... What is or is not a "sacred site" is determined only by American Indians, not subject to interpretation by federal agency representatives, except in confirming that it is pursuant to an established religion espoused by an appropriately authoritative representative of an Indian religion. ...(*adapted from the LexisNexis Online source*)

Sarah Palmer, Cherie Shanteau, and Deborah Osborne, **"Strategies for Addressing Native Traditional Cultural Properties,"** *Natural Resources Environment,* 20:2 (Fall 2005): 45-50.

"In the course of implementing federal land management actions a number of laws, such as the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), and the Clean Water Act (CWA), often come in to play. Frequently, management of public land also involves consideration of traditional values and uses of the land by American Indian, Alaska Native, or Native Hawaiians. These uses and values may be protected in treaties between specific tribes and the federal government, or through laws and executive orders such as the Archaeological Resources Protection Act (ARPA); the National Historic Preservation Act (NHPA), which recognizes cultural properties (TCPs); the American Indian Religious Freedom Act (AIRFA); the Native American Graves Protection and Repatriation Act (NAGPRA); or Executive Order 13,007 (Indian Sacred Sites). This article explores the intercultural dynamics and opportunities for intergovernmental, multiparty collaboration in the course of identifying, understanding, and recognizing the cultural values placed on TCPs when both NEPA and NHPA apply."

Indian Country, Environmental Jurisdiction, Gaming, Tripartite Government

Tribes and Environmental Jurisdiction

Jessica Owley, **Tribal Sovereignty over Water Quality**," 20 J. Land Use & Envtl. Law 61 (Fall 2004)

Indian tribes are independent sovereigns located within the United States. ... Tribal sovereignty over water resources fundamentally includes control over water quality, including regulation of water pollution. .The EPA granted the Isleta Pueblo Indian Tribe TAS status to administer water quality standards and to certify compliance with such standards. ... Thus, the second Montana exception applies because pollution of non-Indian lands within the reservation could have a grave impact upon tribal health and environmental interest. ... The tribe applied for TAS status in 1994 and Wisconsin opposed the application on the grounds that the state was "sovereign over all of the navigable waters in the state, including those on the reservation, and that its sovereignty precluded any tribal regulation. However, in general, states enforce their permit programs and water quality standards on tribal land. ... Tribal sovereignty over air and water quality is not

something to be bestowed by the federal government.

Jana B. Milford, **"Tribal Authority under the Clean Air Act: How Is It Working?"** 44 *Nat. Resources J.* 213 (winter 2004)

The Clean Air Act amendments of 1990 (CAA) authorized the U.S. Environmental Protection Agency (EPA) to "treat tribes as states" for purposes of developing, administering, and enforcing air quality regulations within reservation boundaries, irrespective of land ownership. ... (B) the functions to be exercised by the Indian tribe pertain to the management and protection of air resources within the exterior boundaries of the reservation or other areas within the tribe's jurisdiction; and ... In contrast, before tribes can implement CAA programs outside of reservation boundaries, they must demonstrate regulatory authority over the affected areas under general principles of federal Indian law. ... " The court also reasoned that without a delegation of authority over non-Indian-owned fee lands within reservation boundaries, tribes would only be able to impose "checkerboard" regulation, which would have been "inconsistent with the purpose and provisions of the Act. ... The Tribe's Air Quality Code, which constitutes the submitted TIP, includes tribal air standards for fluorides and six toxic metals that are of concern due to the off-reservation metals processing facilities. ... The Shoshone-Bannock applied for eligibility in 1999 with the vision of developing a TIP and Title V permit programs to address air quality issues related to the FMC facility.

Michael C. Blumm, "Issues in Environmental Law: Retracting the Discovery Doctrine: Aboriginal Title, Tribal Sovereignty, and Their Significance to Treaty-Making and Modern Natural Resources Policy in Indian Country," 28 Vt. L. Rev. 713 (spg 2004)

One of the more misunderstood concepts of Anglo-American law is the discovery doctrine. ... In short, the discovery doctrine created a kind of split estate, leaving the Indians with a present estate that Marshall called occupancy title and giving the discoverer a future interest: a right of preemption in Indian lands. ... Over a quarter-century, in five different opinions, the Marshall Court outlined the contours of the discovery doctrine and the related concepts of Indian title and native sovereignty. ... Neither was Indian title terminated by the issuance of a lease, nor a federal land patent, nor a treaty between a tribe and a state. ... Since discovery only gave an exclusive right to purchase, it became incumbent upon the federal government to negotiate treaties with Indian tribes to gain title to lands for settlement. ... Of course, the chief treaty-making goal of the United States was to extinguish Indian title, which, because of the discovery doctrine, required consensual cessions of land from the tribes. ... The restraint on alienation the discovery doctrine imposed on Indian title did limit the Indians to federal land sales, but left all other proprietary rights intact.

Richard A. Du Bey and Jennifer Sanscrainte, "The Role of the Confederated Tribes of the Colville Reservation in Fighting to Protect and Clean-up the Boundary Waters of the United States: A Case Study of The Upper Columbia River and Lake Roosevelt Environment," 12 Penn St. Envtl. L. Rev. 335 (summer 2004) In 1990, the Washington State Department of Health (DOH) issued a fish consumption advisory for dioxins in Lake Roosevelt fish.. Specifically, they stated that increased draw-downs of the Lake Roosevelt reservoir will likely redistribute existing contamination and expose additional contaminated sediment, which when dried out, becomes airborne dust that poses a significant health threat to the Lake Roosevelt community. ... And, the Confederated Tribes should be provided with the opportunity to participate in federal dam operational decisions designed to properly protect the reservation population and the reservation environment. ... In their development of a comprehensive strategy, the Confederated Tribes have taken steps to seek out federal and state agency partners, with common resource protection missions, so they may collectively assert their sovereign governmental powers, and seek to enforce applicable federal, state, tribal, and international environmental laws to protect the health of the impacted community and to restore the quality of the natural environment,

Carol Vallee Crouch, **"An Investigation of Perceptions, Concerns, and Awareness of Environmental Issues among American Indians,"** Ph. D., Env. Sci., Oklahoma State University, 2004.

Twelve tribes – six small and six large --, randomly selected from 39 Oklahoma tribes, participated in a Questionnaire. Health was the most significant environmental quality of life for both groups. The grassroots group concerned preservation and protection of their cultural resources most vital; tribal professionals were most concerned with water pollution. Grassroots awareness of environmental law and justice was low whereas professionals felt that law was not sufficient to protect their environments. Both groups contended that delivery of environmental and conservation programs was low. (*Text adapted from OCLC FirstSearch*).

C. D. James Paci and Lisa Krebs, **"Local Knowledge as Traditional Ecological Knowledge: Definition and Ownership,"**Ch. 12 in Hosmer & O'Neill, pp. 261-82 (*see Section1 above*).

Shepard Krech, III, **"Reflections on Conservation, Sustainability, and Environmentalism in Indigenous North America,"** *American Anthropologist, 107:2 (2005):* 78-86.

(From the abstract): Building on a range of issues presented initially in The Ecological Indian: Myth and History, and debated subsequently in reviews and various papers, this article ranges widely in time to address traditional environmental knowledge, oral history, conservation and sustainability, and environmentalism in Indian Country. [The author] also offers thoughts on the involvement of Native people in large-scale development, as well as co-management schemes today and in the future. [Editor's note: this and other papers relate to indigenous planning and link also to tribal interests in former territory as part of public lands.]

Tracylee Clarke, "An Ideographic Analysis of Native American Sovereignty in the

State of Utah: Enabling Denotative Dissonance and Constructing Irreconcilable Conflict,"*Wicazo Sa Review,* 17: 2 (Fall 2002): 43-63.

In 1990, the Office of Nuclear Waste Negotiation under the direction of the federal government sought a community to voluntarily store nuclear waste. The program, known as Monitored Retrievable Storage (MRS), would temporarily store 40,000 metric tons of spent nuclear fuel within a designated community until a permanent storage location could be determined. In 1992, the Goshute Tribe, located on the Skull Valley Goshute Reservation in southwest Utah, submitted a grant application and was awarded \$100,000 to investigate the benefits and impacts of implementing the MRS program on their reservation. Since then, the Goshute Band has leased land to a private group of electrical utilities for the temporary storage of the spent nuclear fuel. The tribe, along with the outof-state utility companies, is in the process of transporting the nuclear fuel to the Goshute Reservation. Targeting a Native American tribe to store nuclear waste is not specific to the Goshutes. Tribes in the United States are increasingly targeted by governments and corporations to consider the economic possibilities of storing nuclear waste on their reservations. The Pine Ridge Sioux, Chippewa, California Campo, Mescalero Apache, Northern Arapaho, Fort McDermitt Paiute-Shoshone, Lower Brule Sioux, Chickasaw, Sac and Fox, Alabama-Quassarta, Ponca, Eastern Shawnee, Caddo, Yakima, and others have either been approached or have applied to store nuclear waste on their reservations. 1 This has led to much controversy as conflicting ideas about the legal and moral implications of involving Native Americans in the problem of nuclear waste storage come to the forefront of the debate. Likewise, storage of nuclear waste on the Skull Valley Reservation has ignited a major controversy and a howl of protest. Although the Goshute Skull Valley Tribe has sovereign rights to govern and render the use of their land, there are those in Utah who do not want the tribe to house nuclear fuel and are challenging tribal autonomy. to be continued

<u>http://www.history.com/topics/jamestown/videos#</u>pocahontas

YSA (Youth Service America) and UnitedHealthcare invite youth to "step into service" and start planning 2013 Global Youth Service Day projects focused on the issue of childhood obesity.

UnitedHealth HEROES Grants of up to \$1,000 are available for youthled service-learning projects in the U.S. that combat childhood obesity through walking, running or hiking programs. UnitedHealth HEROES projects will engage young people in performing meaningful service to the community as they gain new knowledge about childhood obesity. Learn more at <u>www.YSA.org/HEROES</u>

To learn more about the UnitedHealth HEROES program, join YSA for a free webinar on September 25.

UnitedHealth HEROES Applicant Webinar - open to all interested applicants Tuesday, September 25 @ 3:00pm Eastern Register: <u>http://bit.ly/OdC3RK</u>

Open until October 15, 2012, UnitedHealth HEROES Grants are available for schools, organizations, and youth groups across the country for projects taking place between January and Global Youth Service Day (April 26-28, 2013).

To apply, visit <u>www.YSA.org/HEROES</u>.

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