

**Journal #2797**

**from sdc**

**2.27.13**

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**Rape on the Reservation**

By LOUISE ERDRICH

One in three American Indian women is sexually assaulted over a lifetime. We need a Violence Against Women Act that expands the reach of tribal courts.

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**#IdleNoMore .. While Harper moves to destroy the Arctic with C-45 and ideology: Obama creates the largest public lands; the National Petroleum Reserve-Alaska and moves to protect the Western Arctic while Kerry sends more signals that Keystone is dead .. Feb 24th 2013**

Sequestration and a forced American recession by poison pill cuts; shrinking US economy by 1-1.5% , may change Obama's mind, the CONservative trick may.

Department of the Interior issued a Record of Decision that formally adopts a new Integrated Activity Plan for the National Petroleum Reserve-Alaska (Reserve).

Located on Alaska's North Slope and almost 22 million



acres in size, the Reserve is our country's largest single unit of public land.

The final plan appropriately protects five unique Special Areas including Teshekpuk Lake, Utukok Uplands, Kasegaluk Lagoon, Peard Bay and Colville River in the Reserve, which are critical to fish, wildlife, recreation and Alaska Native subsistence.

The announcement of the final Integrated Activity Plan wraps up a multiyear planning process, and is the first ever comprehensive plan that has been completed for the entire Reserve.

More than 400,000 Americans, including sportsmen, Alaska Native subsistence users represented by the Western Arctic Caribou Herd Working Group and villages, tribes and other organizations representing more than 90 villages in Alaska called for protection of the wildlife and special places within the Reserve.

Alaska Natives have relied upon the Reserve's resources for thousands of years for their subsistence use and continuance of their culture.

The plan is a huge step for conservation of the Western Arctic, an area increasingly stressed by climate change, and provides critical protections for key lands in the Reserve and the wildlife dependent on it, including migratory birds from around the world, caribou, bears, wolves, beluga whales, and walrus," said Martin Hayden, Vice President, Policy and Legislation for Earthjustice.

By protecting 11 million acres of Arctic wetlands and wildlife nurseries, this final decision proves that sound energy policy and conservation can go hand in hand. And not only that, they must," said Audubon President and CEO David Yarnold.

"We strongly endorse the plan as a victory for birds, wildlife, and America's future. It says that some places really are too precious to drill, and there's no better example than the Teshekpuk Lake area, one of the planet's most prolific bird factories."

"This plan will protect hundreds of thousands of caribou; the environmentally sensitive Teshekpuk Lake that's a crucial migratory bird habitat, and some of the most remote and wild land left in America.

It is a bold step that will safeguard one of America's wildest and most ecologically important places from the hazards that come inherently with energy development," said Charles Clusen, director of national parks and Alaska projects for the Natural Resources Defense Council.

"The area-wide plan provides more enduring protections for vital Teshekpuk Lake wetlands, and shields sensitive wildlife including migratory birds and caribou from risky oil development, spills and industrial activity," said Pamela A. Miller, Arctic Program Director of the Northern Alaska Environmental Center in Fairbanks.

"The plan also affords protections for other remarkable areas like upper Colville River and Utukok Uplands for caribou, bear, wolf, and wolverine, and coastal estuaries like Kasegaluk Lagoon and Peard Bay where rich marine life thrives."

“The Reserve coastline and adjacent ocean waters of the Chukchi and Beaufort Seas support an abundance and diversity of Arctic marine mammal species and other wildlife.” said Stan Senner, Director of Conservation Science for Ocean Conservancy.

“We are grateful that the Department of the Interior’s plan provides meaningful protection for key coastal areas, including polar bear habitat, walrus and spotted seal haul out areas, and coastal habitats important to beluga whales.”

Conservation Groups Applaud Alaska Reserve Plan

<http://earthjustice.org/news/press/2013/conservation-groups-applaud-alaska-reserve-plan>

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### **Attawapiskat Chief Theresa Spence seeks UN intervention**

By [Kristy Kirkup](#), *Parliamentary Bureau* Monday, February 25, 2013 08:49 AM

OTTAWA — Attawapiskat Chief Theresa Spence wants the United Nations to intervene on the federal First Nations file.

Spence, who ended a high-profile, 43-day personal protest in Ottawa in January, is now appealing to the UN Committee on the Elimination of Racial Discrimination (CERD).

Spence, the International Indian Treaty Council and the Mushkegowuk People of Attawapiskat First Nation have filed an 'urgent action' submission with the CERD.

It makes six recommendations to the Canadian government, including a call for an "immediate meeting" with the Crown, federal government, provincial governments and all First Nations to discuss treaties.

Spence previously called for a joint meeting as part of her protest but feds agreed to meet with some First Nations leaders, including Assembly of First Nations National Chief Shawn Atleo.

Gov. Gen. David Johnston did not attend discussions, despite repeated demands from Indigenous leaders, because the feds said it would be "inappropriate" for him to participate in working meetings.

Spence's UN appeal also calls for Canada to express a commitment towards "resource sharing" and to probe implications of two government budget bills.

The budget legislation is currently being challenged in court by two Alberta First Nations over allegations of a lack of consultation.

Former aboriginal affairs minister John Duncan signalled the feds would not repeal the pieces of legislation, which served as a lightning rod for controversy during the recent Idle No More movement.

Conservative MP Bernard Valcourt was named aboriginal affairs minister on Friday after Duncan resigned due to an ethical breach.

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## [Were Native American Tribes Cheated Out Of Over \\$1 Billion?](http://www.huffingtonpost.com)

[www.huffingtonpost.com](http://www.huffingtonpost.com)

[ProPublica's Abrahm Lustgarten reports: Native Americans on an oil-rich North Dakota reservation have been cheated out of more than \\$1 billion by schemes to buy drilling rights for lowball prices, a flurry of recent lawsuits assert.](#)

### [Land Grab Cheats North Dakota Tribes Out of \\$1 Billion, Suits Allege](#)

**Abrahm Lustgarten, News Report:** The rush to get access to oil on tribal lands is part of the oil industry's larger push to secure drilling rights across the United States. Recent estimates show that the U.S. contains vast quantities of oil and gas. As fracking has opened new fields to drilling, and the U.S. has striven to get more of its energy from within its borders, leases from Louisiana to Pennsylvania have been gobbled up. Now the pressure is increasing on one of the last sizeable holdouts — lands owned by Native Americans. [READ](#) | [DISCUSS](#) | [SHARE](#)

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February 26, 2013

Contact: Jessica Kershaw (DOI) 202-208-6416

**Secretary Salazar: Renewable Energy on Public Lands and Waters Making Rapid Advances;** *Looming sequester threatens to slow progress on permitting*

BOSTON – The Obama Administration's renewable energy program has authorized dozens of renewable energy projects on public lands and will hold the first-ever auctions for commercial wind development in the Atlantic this year, Secretary of the Interior Ken Salazar told offshore wind stakeholders at a conference in Boston today. Salazar noted that the rapid progress – as well as conventional oil and gas development on federal lands and waters – could be stymied by potential cuts under sequestration.

“We have made impressive gains, approving dozens of utility-scale solar, wind and geothermal projects in the West and transitioning from planning to commercial leasing for offshore wind,” Salazar told about 300 industry leaders in a keynote address at the Offshore Wind Power USA Conference. “The potentially devastating impact of budget reductions under sequestration could slow our economy and hurt energy sector workers and businesses.”

Salazar said he elevated renewable energy development to a departmental priority and Interior worked with industry, state, tribal and local partners to approve 34 projects on public lands in western states and to build an offshore regulatory framework in the Atlantic. The 18 utility-scale solar facilities, 7 commercial wind farms and 9 geothermal plants Interior green-lighted onshore would provide 10,400 megawatts when built, enough to power 3.4 million homes. The developers estimate that these projects would support 13,000 construction and operations jobs.

Mandatory budget cuts under sequestration, however, could delay Interior's ability to issue permits for new development, plan for new projects, conduct environmental reviews and lease new federal lands for future development – both for renewable and conventional energy. Delays in offshore oil and gas permitting in the Gulf of Mexico, for example, could affect more than 500 exploration plans and development documents that are anticipated for review this year.

Onshore, nearly 300 oil and gas leases issued for public land in western states could be

threatened under sequestration, delaying prospective production and deferring payments to the states and the U.S. Treasury. Delays in coal leasing could defer \$50-60 millions of dollars in revenue sharing among states and the Treasury. Sequestration could have serious consequences for the emerging domestic renewable energy industry. The cuts would mean fewer studies, fewer opportunities to obtain meaningful stakeholder input, and delays in identification of potential use conflicts. The result could be a slower pace in identifying and leasing wind energy areas in federal waters, adversely impacting Interior's ability to address offshore renewable energy management in a timely manner.

Under a 'Smart-from-the-Start' strategy, Interior has identified six Wind Energy Areas along the Atlantic coast that contain the greatest wind potential and fewest conflicts with competing uses. Interior has already issued two non-competitive commercial wind leases, one off Massachusetts and another off Delaware, and is moving forward with the first-ever competitive lease sales for Wind Energy Areas off Virginia and Rhode Island/Massachusetts, which will offer nearly 278,000 acres for development. The areas proposed could support more than 4,000 megawatts of wind generation – enough electricity to power 1.4 million homes. Salazar also signed a lease and approved a Construction and Operations Plan for the 130-turbine Cape Wind project, the first commercial wind development slated for federal offshore waters.

Calling 2013 a pivotal year for the industry, Salazar said Interior's Bureau of Ocean Energy Management (BOEM) will propose additional commercial lease sales this year for Wind Energy Areas offshore New Jersey, Maryland and Massachusetts and is working to determine industry interest in three areas off North Carolina. BOEM also is processing a lease request from a company with Department of Energy funding to develop cutting-edge floating wind turbines in federal waters off Maine. Other demonstration projects are proposed off Virginia and Oregon.

In addition, BOEM is considering a mid-Atlantic wind energy transmission line that would 7,000 megawatts of wind turbine capacity to the grid. This Atlantic Wind Connection would run from southern Virginia to northern New Jersey, collecting power produced by wind facilities off New Jersey, Delaware, Maryland and Virginia and bringing it ashore.

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### **[Buddhists, Reconstructing Sacred Tibetan Murals, Wield Their Brushes in Nepal](#)**

By EDWARD WONG

A project aimed at restoring the artwork of two sites in Lo Manthang, Nepal, has trained a team of local residents to revise historic works.

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### **[Ancient Conehead-like 'Alien' Skulls Unearthed in Mexico](#)**

[www.utaot.com](http://www.utaot.com)

[An archaeological discovery of 13 Conehead-shaped skulls in Mexico has people recalling the famed Saturday Night Live sketch. The bones, which are about 1,000 years old, dating back to 945 A.D. to 1308 A.D., were discovered accidentally during a dig for an irrigation system in the northwest state](#)

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**[Dying In Indian Country - Official Website](#)**

**[dyinginindiancountry.com](http://dyinginindiancountry.com)**

[Dying in Indian Country: The true story of a large family crippled by Government hand-outs & alcoholism; then transformed into new life and understanding of what is killing their family. What cannot be denied is that a large number of Native Americans are dying from alcoholism, drug abuse, suicid...](#)

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## **Hanford: The Largest Environmental Cleanup Operation in US History**

*Eric Nusbaum, The Daily Beast*

Nusbaum writes: "This month, the Department of Energy announced that a tank at the Hanford Nuclear Reservation in Washington State is leaking up to 300 gallons of radioactive waste a year." [READ MORE](#)

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## **Environmental "Trial of the Century" to Start Today**

Mark Scheerer, Public News Service-NV

<http://www.publicnewsservice.org/index.php?/content/article/31033-1>

(02/24/13) LAS VEGAS, Nev. - Billions of dollars and the health of the Gulf Coast are on the line as the civil trial against BP begins on Monday in New Orleans. Based on provisions in the Oil Pollution Act and the Clean Water Act, the company could be ordered to pay \$40 billion in damages.

Brian Moore, legislative director for the National Audubon Society, said it is important to make sure there are enough resources to repair the damage done to the Gulf, both now and in the future.

"We believe this is a living disaster," he said, "and we still don't know the full environmental impacts. There's a single rule we all should be reminded of [A] we've seen it posted in stores - which is 'You broke it, you've bought it.' This is a broken ecosystem."

The Deepwater Horizon disaster in 2010 leaked an estimated 170 million gallons of oil into the Gulf, making it the largest environmental disaster in the country's history.

Attorneys from both sides had hoped to settle the case this week.

John Kostyack, vice president of Wildlife Conservation for the National Wildlife Federation, said the NWF and other conservation groups understand it is important to secure the money from BP to fully begin the restoration process.

"The Department of Justice has a responsibility to set a penalty amount that factors in BP's assets," he said, "and the risk that they will continue business as usual if their bottom line is not affected by any settlement."

Because of the Restore Act, passed and signed into law last year, 80 percent of the funds collected from BP will go to the restoration and health of the Gulf Coast, but those funds are on hold until the remaining cases are resolved.

Federal investigators said efforts by BP to cut down on costs and save time were what lead to the oil spill.

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[image001.jpg 012013broadband.docx](#)

Hi all, See attached Press Release detailing the **USDA announcement of the Final Rule to Expand Access to Broadband in Rural Areas.**

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## **Federal Water Tap, January 28: New Congress, New Legislation**

Monday, 28 January 2013 06:00

The freshmen have been initiated, the committees settled and the staffs filled. Now comes the law making. Here's the first batch of water-related bills in the 113th Congress:

- Harry Reid (D-Nevada) [reintroduced the farm bill](#) that the Senate passed in June 2012. Debbie Stabenow (D-Michigan), the Senate Agriculture Committee chair, said that she would hold a mark up session as soon as possible, to update the bill. Stabenow's staff told Circle of Blue that those updates are "unclear at this point" and depend on which amendments committee members propose. The Senate bill includes \$US 23 billion in spending cuts.
- Reid also introduced two bills that amount to a mission statement for the Democrat-controlled Senate – the [Rebuild America Act](#) and the [Extreme Weather Prevention and Resilience Act](#). The former encourages federal investment in the nation's water, sewer, and flood-protection infrastructure. The latter declares the federal government should take a host of actions to protect communities against floods, droughts, rising seas, and wildfires: coordination with state and local officials, infrastructure investment, as well as promoting clean energy technology and energy efficiency to reduce carbon emissions.
- Sen. Frank Lautenberg (D-New Jersey) introduced a bill to [improve security at high-risk chemical plants and water treatment facilities](#).
- Rep. Tom McClintock (R-California) proposes [several changes to the Clean Water Act](#), applicable only to publicly owned water treatment plants. His bill would extend the term of discharge permits from five years to 15 years and limit the types of citizen lawsuits that can be brought against such facilities.
- Rep. Dan Benishek (R-Michigan) proposes that 32,557 acres of Sleeping Bear Dunes National Lakeshore in northwestern Michigan be [designated as wilderness](#).

### **Climate Change in Congress**

Sen. Sheldon Whitehouse (D-Rhode Island) and Rep. Henry Waxman (D-California) announced a bicameral task force on climate change, open to all members of Congress.

"The polluters deny the ability of the United States to lead," Whitehouse said, speaking Thursday from the Senate floor. "[Well, they are wrong](#). They are wrong. They are very wrong. With our vast economy, with our ingenuity, and with the trust the rest of the world has put on our experiment in democracy, we can lead. We can lead the world toward a cleaner future."

Republican climate hardliners in Congress will not be easily swayed. Sen. James Inhofe (R-Oklahoma) compared such leadership to [an economic fool's errand](#):

“It is not that we are going to provide the leadership, and all of a sudden China is going to say, ‘Hey, they are doing it, so maybe we ought to do it,’” Inhofe said. “China, instead, is sitting back hoping that will happen in this country, so they can have all the jobs that are chased away from our manufacturing base.”

### **Wild and Scenic Rivers**

The National Park Service has released draft environmental reviews for how it plans to manage the [Merced](#) and [Tuolumne](#) rivers, both of which flow through California's Yosemite National Park and have Wild and Scenic River designations.

### **And Now for Something Completely Different**

The Pacific Southwest Region of the U.S. Forest Service used [lyrics from Bob Dylan's "The Times They Are A-changin'"](#) to announce that it is starting the first phase of a new forest planning rule that went into effect last year and will guide forest management for the next ten to 15 years. Such levity is rare in the Federal Register.

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### **[January 21: Flawed Levees, Flushed Science](#)**

The U.S. Army Corps of Engineers, in its first-ever inventory of the state of federal flood control systems, found that 22 percent of the levees surveyed were rated... [Read More...](#)

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### **[California making provisions if Nevada leaves TRPA Contract](#)**

Kathryn Reed, Lake Tahoe News

Two California state senators introduced a bill on Friday that would bring changes to the Tahoe Regional Planning Agency.

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### **[The Stream, February 25: Preventive Flood Planning Gains Urgency Along on U.S. East Coast](#)**

### **Conflict Looms**

The Middle East is a likely flash point for the world's [next war over water](#). The factors driving the likelihood for conflict higher, Fareed Zakaria's *Global Public Square* blog argued, include a booming global middle class, shifting geology and changing regional climates.

### **Wisconsin Withdrawals**

Every year, Wisconsin industries withdraw more than [two trillion gallons](#) of water from the state's surface and groundwater sources. Power plants are the largest water users, the *Associated Press* reported, with the state's paper-production companies ranking second.

### **Proposed Bottled-Water Ban**

A bill in Maine would ban public agencies from [purchasing bottled water](#). The ban would cover state governments, government agencies, and their affiliates, *WCSH* reported, in a state with an active bottled-water industry.

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### **Elko man to temporarily head BLM**

By [Steve Tetreault](#) STEPHENS WASHINGTON BUREAU



WASHINGTON - Nevada native Neil Kornze will soon be named acting national director of the Bureau of Land Management, officials confirmed Monday.

Kornze, from Elko, joined the BLM in 2011 as acting deputy director for programs and policy. From 2003 until 2011, he worked as an adviser to Sen. Harry Reid, D-Nev., on public lands, mining and wildlife.

"It is (Interior) Secretary (Ken) Salazar's intent to have Neil Kornze assume the duties of acting director of the Bureau of Land Management," Interior spokeswoman Jessica Kershaw said.

Kornze, 34, would take over for Mike Pool, who is expected to step down as acting director later this week. Kornze would serve until a full director is nominated and confirmed by the Senate.

Kornze would become the second person with Nevada ties to head the BLM during the Obama administration. Bob Abbey, who was the agency's state director in Nevada for eight years ending in 2005, headed the national office from August 2009 until last May.

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### **Some Native Americans defy U.S. law on eagle feathers**

"It's something I've earned, and it was given to me as an honor," said Chavis, 23.

She and other members of the Lumbee Tribe, the largest in North Carolina, say they're feeling like second-class citizens these days because of a new Obama administration policy.

The Justice Department said in October that it would allow Native Americans to possess or use eagle feathers for religious or cultural purposes. But there was a catch: The new rule applies only to members of federally recognized tribes, and the Lumbee Tribe is not among them.

Consequently, the Lumbees and members of other non-federally recognized tribes who own feathers are violating the Bald Eagle Protection Act, which makes it a crime to possess a feather without a federal permit. It's another example of the growing disparities among the nation's tribes.

The Lumbees want the feather policy changed to include all Indians.

In the meantime, they're trying to decide what to do with their feathers.

Rob Jacobs, who served two years as a nuclear weapons specialist with the Air Force and is a gambling company executive in Philadelphia, has no plans to stop wearing his feathers in public. He owned 150 feathers but gave most of them away, keeping one for his car and two that he puts on his head when he attends powwows.

"They can arrest me all they want," said Jacobs, 37, a former youth coordinator for the tribe. "I don't mind standing up for what's right."

He said that while federal authorities could make arrests at Lumbee powwows, he doubts it will happen.

“The publicity and the sacrilege that it would portray would be more bad press than they would like and put other Indians on notice,” he said. “I would compare it to the killing of ghost dancers in the middle of prayer.”

April Locklear, 38, said she gave away many eagle feathers during her reign as Miss Indian World in 1998. She gave one to her husband when they married, and her family still has 15 feathers. She’s less certain about wearing them in public now, saying she’d just as soon avoid having federal officers knock on her door with a search warrant.

“If it gets that bad, then I just won’t wear them,” Locklear said, but she added that it makes little sense to have federal officials worry “about feathers sitting quietly in my closet” with school shootings and other big issues to address.

“With respect, this law kind of reminds me of cutting tags off of mattresses,” she said. “I mean, really? It doesn’t harm anybody, I don’t think. . . . I’m not out shooting eagles or hawks.”

The federal government’s division of Indians into two camps has long been a source of frustration for the Lumbees, who have lobbied Congress hard to join the ranks of the federally recognized.

So far, it has been a losing battle. The local congressman, Democratic Rep. Mike McIntyre of Lumberton, N.C., has promoted bills in recent years to recognize the Lumbee Tribe, getting nowhere.

Critics have complained that the system of granting federal recognition has been corrupted by money.

Many smaller unrecognized tribes, such as the Duwamish in Washington state, say they’ve been denied recognition because they can’t match campaign contributions from neighboring tribes that want to limit gambling competition. Under the federal government’s rules, only federally recognized tribes can open casinos.

“They’re worried about their money being taken — I’ll call it like it is,” Locklear said.

Cheryl Schmit, founder and director of Stand Up For California, a statewide organization that has been leading the fight against more casinos in the Golden State, said it would be wrong to allow members of non-recognized tribes to own feathers because it would open the door for them to receive other federal benefits.

“Today, it’s eagle feathers. What will it be tomorrow, a request for racial preference for a casino?” she asked.

Federally recognized tribes are allowed to have feathers only because they have special status as sovereign governments, she said. Allowing “unacknowledged tribal groups” to have the same rights would violate both state and federal discrimination laws dealing with race, religion and ethnicity, she said.

Attorney General Eric H. Holder Jr. took note of the distinction when he announced the new policy nearly four months ago, saying the Justice Department wanted to respect the cultural and religious practices “of federally recognized Indian tribes with whom the United States shares a unique government-to-government relationship.”

The Justice Department said the new policy, the first formal statement on the issue, sought to clarify and expand the long-standing practice of not prosecuting tribal members who possess or use eagle feathers. But the department said it would continue to prosecute tribal members and non-members alike if they violate federal laws by killing eagles or buying or selling feathers.

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**Norman Christy Sr. "FOGO"**

Norm passed away on Valentines Day, Feb. 14, 2013, and he was surrounded by family and friends. He was born Aug. 8, 1950 to Ethel and Leroy Christy Sr.

He was preceded in death by his parents, his brother Leroy Jr., his sisters Yevonne, Juanita and special nephew Jeremy Christy, his grandparents Dave & Mammie Christy and numerous uncles, aunties, cousins, friends, ancistery.

Norm is survived by his wife Deborah Christy, children, Norma Rodriguez, Norman Christy Jr., Julie Rangel, Nick, Ben and Warren Chhristy, his sisters Linda Wadsworth, Gail, Barbara and Ivy Christy, his brother Robert Christy, numerous nieces, nephews, unlcas, aunties and cousins.

Norm worked for the City of Reno for 28 years. He went to Orvis Ring Elementary School, E. Oatis Vaughn Middle School and Wooster High School all here in Reno, NV.

After he retired he enjoyed happy hour, traveling in and out of town to tournaments and powwows to watch his kids play different sports and dancing. He liked working on his trucks and cars, helping others, taking all his family out to eat to breakfast, lunch and dinner and going to the drive-ins & theaters. His #1 place to go is Pyramid Lake for BBQ's, swimming, listening to music and being with his family. Norman will be truly missed and never forgotten. We all will miss you and love you always & forever.

Services are to be held at the Reno-Sparks Indian Colony Gymnasium on Feb. 21, 2013 at 11am. Viewing to be held on Feb. 20, 2013 from 6pm-8pm at O'Brien Rodgers & Crosby Funeral Home at 600 w. Second St., Reno, NV.