

Journal #4433 from sdc 6.6.19

Native women experience rampant sexual harassment, and often have few options for redress.

Documents from Herrera v. Wyoming

Meet American Airlines Captain Duckworth

HUD is Hiring

This Girl Was Found Frozen For 500 Years, Yet She's So Well Preserved She Looks Practically Alive

HUD planning to expand the Tribal HUD-Veterans Affairs Supportive Housing (Tribal HUD-VASH)

Court throws replacement of Enbridge Line 3 into limbo; judges rebuke state agency

Water Shorts

The end of the United States Indian factory system..... and an unrecorded early Detroit imprint

Reno Hiring

Journal and Drawings of J. Goldsborough Bruff at Sierra College

Against the Odds, Young Native Girl Winning Ballet Competitions

A Point in Time Clip | Native Americans in Nevada

Paya: The Water Story of the Paiute

**Native
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Grandriver /
Getty
Images
By [Mary
Annette
Pember,](#)
[Indian
Country Today](#)**



<https://truthout.org/articles/metoo-in-indian-country-we-dont-talk-about-this-enough/>

[Deaths of Indigenous Women 'a Canadian Genocide,' Leaked Report Says](#) *BBC*

Excerpt: "A national public inquiry into possibly thousands of missing and murdered indigenous women in Canada has called the deaths a 'Canadian genocide.'"

[READ MORE](#)

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued.

The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader.

See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus *HERRERA v. WYOMING CERTIORARI TO THE DISTRICT COURT OF WYOMING, SHERIDAN COUNTY* No. 17–532. Argued January 8, 2019—Decided May 20, 2019

Herrera v. Wyoming - Supreme Court of the United States

https://www.supremecourt.gov/opinions/18pdf/17-532_q86b.df

May 20, 2019 - The court also held that, even if the 1868 Treaty right survived *Wyoming's* entry into the Union, it did not permit *Herrera* to hunt in Bighorn National Forest. ... Relying on this Court's *decision* in *Mille Lacs*, *Herrera* and the United States contend that those rights did not expire when *Wyoming* became a State in 1890.

Herrera v. Wyoming - SCOTUSblog

<https://www.scotusblog.com/case-files/cases/herrera-v-wyoming/>

Judgment: Vacated and remanded, 5-4, in an *opinion* by Justice Sotomayor on May 20, 2019. Justice Alito filed a dissenting *opinion*, in which Chief Justice ...

HERRERA v. WYOMING | US Law | LII / Legal Information Institute

<https://www.law.cornell.edu/supremecourt/text/17-532>

May 20, 2019 - In 2014, *Wyoming* charged petitioner Clayvin *Herrera* with off-season ... on the reasoning of the Tenth Circuit's decision in *Crow Tribe of Indians v. Hargis Industries, Inc.*, 575 U. S. 138, ____ (2015) (*slip op.*, at 8) (internal ...

June 8 - Meet American Airlines Captain Duckworth presented by NABI

Foundation, Ak-Chin Indian Community Parks and Recreation and Ak-Chin

Regional Airport. FREE for all Native American High School youth. 8:45 a.m.-11:00 a.m.

Lunch. Limited space. Email [NABI and include name, age, grade, contact email, phone and Tribal affiliation.](#)_____

“Anyone who does anything to help a child in his life is a hero to me.” – Fred Rogers (Mr. Rogers)

“We spend the first year of a child’s life teaching it to walk and talk and the rest of its life to shut up and sit down. There’s something wrong there.” – Neil deGrasse Tyson

HUD is hiring!

The following are Vacancy Announcements for 2 Grants Management positions in Anchorage, AK, and 1 position in Seattle, WA. Closing Date for applications is June 13, 2019.

MP: 19-HUD-966 <https://www.usajobs.gov/GetJob/ViewDetails/535123000>

DEU: 19-HUD-993-P <https://www.usajobs.gov/GetJob/ViewDetails/535123500>



**This Girl
Was Found
Frozen For
500 Years,
Yet She's So
Well
Preserved
She Looks
Practically
Alive**

By Kristina
Bostley
October 19,
2015

*(old news but
interesting...sdc)*

http://scribol.com/a/anthropology-and-history/archaeology/girl-maiden-discovered-llullaillaco-frozen-500-preserved-alive/?utm_source=Outbrain&utm_medium=CPC&utm_campaign=1030

Scribol_Conv_Exp_This-Girl-Was-Found-Frozen_US_DESKTOP_JG&utm_content=00b6ad3ef19f879d9780065f2bf12d93b5_MSN%20US%20%28MSN%20US%29_MSN%20-%20EN-US%20-%20News&utm_term=00e2da434c7c0e71773737348e920d7939

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WASHINGTON, DC 20410-5000

June 3, 2019

The U.S. Department of Housing and Urban Development (HUD) is planning to expand the **Tribal HUD-Veterans Affairs Supportive Housing (Tribal HUD-VASH) program**. In accordance with HUD's Government-to-Government Tribal Consultation Policy, this letter invites comments from tribal leaders on ideas to expand the program.

The Consolidated Appropriations Act of 2017 provided \$7.0 million for the Tribal HUD-VASH program to fund renewal and new grants. In September 2018, HUD awarded \$3.6 million of the \$7.0 million to fund renewal grants to the existing Tribal HUD-VASH program recipients. HUD would like to award the remaining \$3.4 million to fund new grants to both existing and new recipients that are eligible to receive block grants under the Native American Housing Assistance and Self-Determination Act of 1996.

When considering how HUD should expand the program, please consider the following:

1. HUD is considering awarding a portion of the funding to the existing 26 Tribal HUD-VASH recipients that have the capacity to house additional veterans. Do you have any concerns with this approach?
2. HUD is considering making new awards based on a competition, rather than a selection process, as was the case for the original Tribal HUD-VASH awards. Do you have any concerns with this approach?

3. HUD will award new funding based, in part, on need. HUD is considering “need” criteria, such as available housing stock, the proximity of a local VA medical center, and the number of veterans who are homeless or at-risk of becoming homeless. What other factors should HUD consider as “need” criteria?
4. To evaluate “need,” HUD may seek information from applicants on the number of veterans who are homeless or at-risk of becoming homeless. Does your Tribe currently have a way of accurately identifying or estimating the number of veterans who are homeless or at-risk of becoming homeless in your community who would qualify for the program? If so, please describe and provide any relevant information that may be helpful to HUD.
5. HUD will also award new funding based, in part, on administrative capacity. HUD is considering “capacity” criteria, such as the applicant’s ability to deliver the resources and employ the skills necessary to implement the program. HUD is also considering criteria to demonstrate fiscal capacity as evidenced by HUD-ONAP monitoring or audit findings. What other factors should HUD consider as “capacity” criteria?
6. HUD is considering emphasizing the creation of new housing when making new awards. How can HUD target assistance under this program to encourage the creation of new housing?

Please submit your comments within 30 days from the date of this letter to tribalHUDVASH@hud.gov or by postal mail to:

Hilary Atkin, Acting Director, Office of Grants Management, Office of Native American Programs
Department of Housing and Urban Development 451 7th Street SW, Room 4108
Washington, D.C. 20410

After the comment period has expired, HUD will consider and incorporate comments where feasible. Thank you for your attention to this important matter, and for your continued partnership and collaboration in the effective delivery of HUD’s programs.

Sincerely, Heidi J. Frechette, Deputy Assistant Secretary for Native American Programs

[Now Hiring - Parks and Recreation Staff](#)

[Office of Communications and Community Engagement Staff Member](#) from [City of Reno](#) · 21 May

Now Hiring! The City of Reno Parks, Recreation and Community Services department has several seasonal positions open. Positions include:

- Lifeguards
- Gym Supervisor
- Field Crew
- Train Operator
- Camps / Sierra Kids Site Attendants
- and more...

For details and to apply, visit Reno.Gov/Jobs

Part-Time Job Opportunities

Parks, Recreation and Community Services, has several part-time job openings in aquatics, park maintenance, adult athletics, & Sierra Kids. Visit Reno.Gov/Jobs for details and to apply.

City of Reno chosen for national arts grant program

National Endowment for the Arts (NEA) Acting Chairman Mary Anne Carter recently [announced 57 awards](#) totaling \$4.1 million supporting projects across the nation through the Arts Endowment's Our Town program. The City of Reno is one of the recommended organizations for a grant of \$100,000 to support public outreach and public art creation to commemorate the City of Reno's 4th Street District. [Learn more about the grant program](#)



File photo of opponents and supporters of Enbridge Line 3 lined up outside a Public Utilities Commission meeting last year when the agency discussed the proposed pipeline. A Minnesota appellate court on Monday reversed an environmental impact statement approved by the PUC on Line 3. (Staff photo: Richard Tsong-Taatarii Richard.Tsong-Taatarii@startribune.com) ORG XMIT: MIN1811191232488441

Court throws replacement of Enbridge Line 3 into limbo; judges rebuke state agency

The court said the review fell short because it didn't address impact of oil spill on Lake Superior watershed.

By [Mike Hughlett](#) Star Tribune June 3, 2019 — 3:45pm

The Minnesota Court of Appeals reversed a ruling by state utility regulators on the environmental impact statement for Enbridge's Line 3 pipeline, throwing new uncertainty on the controversial project.

The court ruled Monday that the statement was "inadequate because it did not address the potential impact of an oil spill into the Lake Superior watershed." The decision to omit this issue was "arbitrary and capricious," the appeals court ruled.

The court, acting on appeals from two environmental groups and three American Indian tribes, remanded the adequacy decision back to the Minnesota Public Utilities Commission (PUC) and, it would appear, to the Minnesota Department of Commerce, which conducted the environmental impact statement, or EIS.

Redoing even a small part of the voluminous EIS could take months, raising questions about more delays in Enbridge's schedule for Line 3.

The PUC granted Enbridge a "certificate of need" for Line 3 last June, the company's most critical approval. Still, Enbridge needs several other state permits and the blessing of the U.S. Army Corps of Engineers.

Those permitting decisions aren't expected until November at the earliest. And the remaining state permits now can't be issued until Line 3's EIS is retooled, the appellate court ruling notes.

Enbridge said it was "disappointed" with the appellate court's decision, noting that with Line 3, the PUC unanimously approved the "most extensive environmental study of a pipeline project in state history."

Water shorts

[Bill to help Eagle Mountain hydroelectric storage project outside Joshua Tree derailed](#)

By Evan Wyloge, Palm Springs Desert Sun, 5/31/19

Despite the efforts of a handful of Riverside County lawmakers, a controversial bill that would pave the way for a massive hydroelectric energy storage project on the edge of Joshua Tree National Park has been shelved for now, leaving the Eagle Mountain project still without a clear path forward. The project would use abandoned iron mining pits to store billions of gallons of groundwater, pumped from the Chuckwalla Valley aquifer. Once operational, the facility would use abundant daytime solar power to pump water from a lower retention area to a higher elevation. When solar energy production dips at night and demand goes up, the water would be released, flowing down through turbines.

[Feds Dodge Claims of Violating California Water Law](#)

[By Nicholas Iovino, Courthouse News Service, 5/31/19](#)

SAN FRANCISCO (CN) – The U.S. Bureau of Reclamation on Friday successfully dodged claims its management of a California dam violates state law and threatens the survival of endangered steelhead trout, but the legal battle is far from over. U.S. District Judge Edward Chen rejected a move by conservationists to add the United States as a “necessary party” to a state court action involving disputed rights to water from the Twitchell Dam and Reservoir in San Luis Obispo County.

[House bill boosts EPA funding amid infrastructure plan fallout](#)
[By Water Finance & Management, 5/31/19](#)

The House Appropriations Committee passed its Fiscal Year 2020 (FY20) Interior & Environment Appropriations bill in May, which funds the U.S. Environmental Protection Agency (EPA), and included a significant increase for key EPA programs. This occurred on the same day President Trump broke off discussions with Congressional leaders on a comprehensive infrastructure package.

[OPINION: 'Moving the rain,' creating California](#) **[By Mark Arax, CALmatters, 6/2/19](#)**

"What compelled you to write a book that weighs 2.2 pounds?" the radio interviewer asks me before we go live. "Madness," I reply, with a chuckle. "My own madness and the madness of California." Her show was beamed out of Boston and reached across the nation, and so I began to tell the story, the invention of California, first as myth and then as a real place. I explained how that invention necessitated the invention of the grandest water-moving system in the history of man. It was a system magnificently built, and it allowed us to erect two if not three world-class cities and the most intensive farming region in the world.

[Large Hydroelectric Dam Proposal Draws Concern In Bishop](#) **[By Bree Zender, KUNR, 5/31/19](#)**

A new hydroelectric dam project could be built within the next few years near Bishop. While many see it as a form of clean energy, some locals are concerned about the effects it could have on the wilderness area. Kurtis Alexander is an environmental reporter for the San Francisco Chronicle. KUNR's Bree Zender spoke with him about his reporting.

[Heads up, salmon lovers: Epic catch brings tons of fresh fish to the Central Coast](#)
[By Nick Wilson, The Tribune, 5/31/19](#)

Salmon are running in epic numbers this year off the Central Coast, and that means lots of fresh fish for commercial fishermen and hungry customers. This year's salmon season, which started commercially on May 1, is the best local fishermen have seen in 20 years. The state Department of Fish and Wildlife estimates an increase of more than 150,000 Chinook salmon in California coastal waters this year compared to last, originating from Sacramento River fall-run stocks, many of which have made their way to the Morro Bay coast.

[Escondido, tribe reach agreement on easement for water pipeline](#)
[By San Diego Union Tribune, 5/30/19](#)

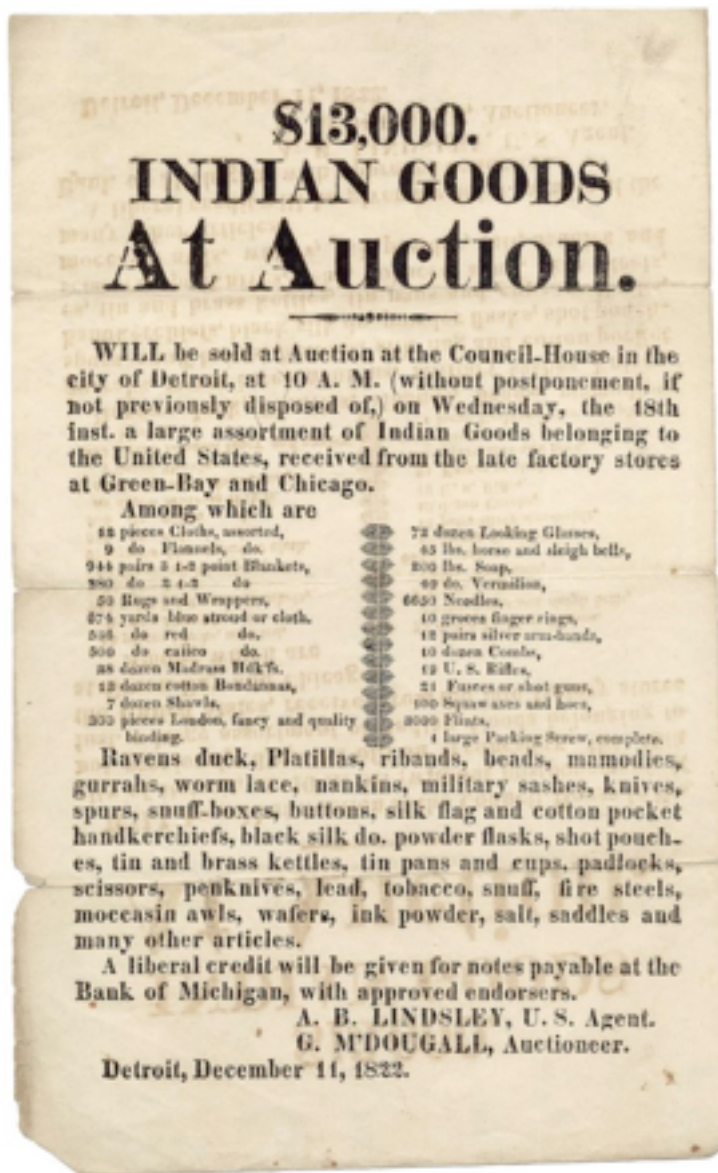
A plan to underground about 2.5 miles of the Escondido Canal through and near the San Pasqual Indian reservation has moved forward with an agreement reached recently for Escondido to pay the tribe for an easement through its land. The 14-mile-long Escondido Canal transports water from Lake Henshaw to Lake Wohlford where it is stored for use by Escondido and Vista Irrigation District consumers.

[How Can The Average Person Contribute To Land Preservation?](#) **[By Forbes, 5/30/19](#)**

Such a beautiful question, thank you. One of Hipcamp's most important values is to "Leave It Better." And we really believe that's possible. You can do better than "Leave No Trace" (although

definitely as a baseline, make sure you do this!) We believe you can make a positive impact as well, and taking care of the land is a great way to do this. Protecting and preserving land is important. Land is living though, so I like thinking of this through the lens of restoration and regeneration. One way you can leave the land better than you found it is by camping at farms, ranches, vineyards and nature preserves where landowners engage in regenerative agricultural or ecological practices, because you're using outdoor recreation as a tool to support sustainable, enriching long-term production methods.

The end of the United States Indian factory system... and an unrecorded early Detroit imprint



B. Lindsley, U. S. Agent & G. M'Dougall, Auctioneer, \$13,000 INDIAN GOODS At Auction. WILL be sold at Auction at the Council-House in the city of Detroit.... Detroit, Dec. 11, 1822.

Broadside, 12 1/2" h x 7 5/8" w at sheet edge. 3 lines of headline type surmounting column of text, inset table with divider of ornamental type. Minor soiling and offset, some fold splits, and bit of chipping at edges. About very good.

\$6,500

[Inquire by e-mail](#) [Have a similar item to sell?](#)

Unrecorded broadside, printed in Detroit, announcing the sale at auction of trade goods remaining from the Federal Government-operated factory stores at [Chicago](#) and Green Bay. The sale took place in Detroit on December 18, 1822, following the termination by the United States Congress of the factory system for trading with the [Native Americans](#). The end of government competition was a great triumph for John Jacob Astor's American Fur Company and paved the way for it to achieve, for a time, near-complete control of the American fur trade.

Background

From the earliest years of settlement the European powers viewed the Native American peoples

as vital allies (or deadly enemies) in the contest for empire in North America. For England, France and Spain, the Indian fur trade became a vital tool for building alliances and exercising influence, and they competed with one another by establishing chains of trading posts, often fortified.

The United States entered this game early in the Revolution, when Congress ordered the purchase of trade goods and prohibited unlicensed trading. This first, halting effort was followed by other laws in the Confederation and early Republic eras, instituting various licensing systems and at times prohibiting foreigners from the trade altogether. Given the ongoing weakness of the central government, all such attempts proved ineffectual.

In 1796 the Federal Government tried an entirely new strategy by going into business for itself. The [Act for Establishing Trading Houses with the Indian Tribes](#) empowered the President to establish at his discretion trading houses (“factories”) on the western and southern frontiers, and to appoint agents (“factors”) to oversee the trade. Over the next 27 years more than 30 factories were established as far afield as Mackinac, Fort Osage, Natchitoches, and Colerain in southern Georgia. In 1816 the system was given a boost by a law prohibiting foreigners from trading on United States soil unless they were employed by American companies.

While the factory system seems to have met with some success early on, its structure and rules, coupled with intense competition from private traders—most notably Astor’s American Fur Company—posed major obstacles. To give but one example, regulations prohibited government factors from cultivating their Native American with presents, a tactic which had for centuries been used to ensure their good will and which private traders continued to practice. Eventually, in March 1822 Astor connived with Senator Thomas Hart Benton of Missouri to convince Congress to terminate the system. Superintendent of Indian Trade Thomas McKenney (later co-author of *History of the Indian Tribes of North America*) was ousted, and the heads of factories were replaced by men charged with closing them down.

The [broadside](#)

Around this time one Abraham B. Lindsley was appointed to the Chicago factory to succeed Jacob Butler Varnum (1788-1874). The latter thought little of Lindsley, describing him as “a hanger-on about the offices for an appointment for years.” In fulfillment of his duties, while in Chicago Lindsley attempted to sell the remaining goods from the Chicago and Green Bay factories, apparently without much success. He then moved on to Detroit, goods in tow, where on December 18, 1822 he attempted to sell them at auction.

Offered here is the most ephemeral of items, being an unrecorded broadside dated December 11, 1822 and announcing the auction a week hence. The sale was to be held at the Council House, located at the southwest corner of Jefferson Avenue and Randolph Street. The broadside lists a sampling of the goods on offer, including a great variety of textiles but also looking glasses, sleigh bells, soap, vermilion, needles, finger rings, arm bands, combs, rifles, shotguns, axes, hoes flints and a host of other items. The text ends with a note that “liberal credit will be given for notes payable at the Bank of Michigan”—a recipe for disaster—and is signed in type by Lindsley and auctioneer G. M’Dougall. The broadside must have been printed in tiny numbers purely for local distribution, and *this is the only example I have been able to locate.*

Once again Lindsley's results were miserable. Varnum assessed them as follows:

“After remaining in Chicago as long as his instructions would permit without making any sale or collecting the debts, he packed the goods and shipped them to Detroit, where they were again offered for sale; and were finally auctioned off without a guarantee of any kind as to payment. They sold at good prices—the purchasers not intending to pay, were indifferent as to the prices offered, and, what was foreseen in Detroit, no satisfaction of value was received by the government, and Lindsley a man without a single business qualification, got credit for the prompt and satisfactory manner with which he had closed the business, and subsequently received an appointment in the custom service.” (Peake, pp. 205-6)

Though Varnum had an axe to grind, this bleak assessment is in fact backed up by Lindsley's own accounts: On October 15, 1822 he had taken delivery of \$15,637 in goods from the Chicago and Green Bay factories. On January 20, 1823, following the auction, he reported “bills receivable” (many of which would never be paid) of \$5063 *plus* a “loss on sales” of \$6968. (Peake, p. 290)

In all, a remarkable survival and an interesting artifact from a transitional moment in the history of both the North American fur trade and relations between the Federal Government and the Native American peoples.

References

Not in OCLC. Background on the factory system from Ora Brooks Peake, *A History of the United States Indian Factory System 1795-1822* (Denver: Sage Books, 1954) and Royal B. Way, “The United States Factory System for Trading with the Indians, 1796-1822,” *The Mississippi Valley Historical Review*, vol. 6 no. 2 (Sept. 1919), pp. 220-235.

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<https://www.sierracollege.edu/ejournals/jsnhb/v2n2/Bruff.html>

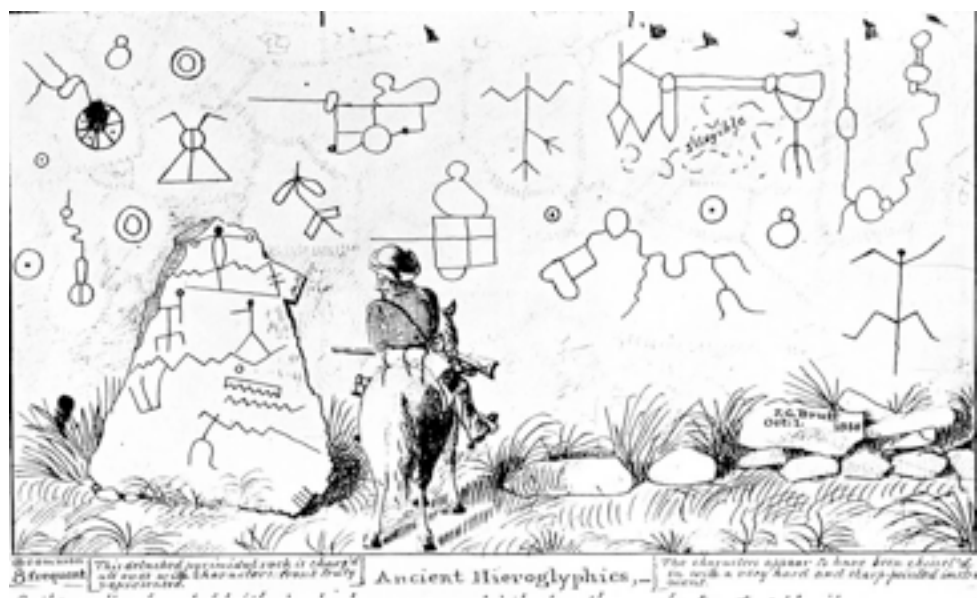
A depiction of Bruff's “mountain lodge”.

Bruff was fascinated by Indian petroglyphs he discovered along the route.

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Collection Guide ∞  
<https://oac.cdlib.org/findaid/ark:/13030/c8pk0jbp/>

Collection Title:



Journal and Drawings of J. Goldsborough Bruff

Collection Number: mssHM 8044

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## Description

The collection contains J. Goldsborough Bruff's oversize revised version of his journal (c. 1853), which documents his journey across the American plains in 1849 by way of Lassen's Trail. Also included in the collection are 264 drawings of scenes from his overland journey, of various places he visited in California, and of his sea voyage to the Eastern United States via Mexico and Panama.

## Background

Joseph Goldsborough Bruff (1804-1899) is best known as a topographer, journalist, and artist of the gold rush era. Bruff was born in Washington, D.C., on October 2, 1804. He attended West Point from 1820 until his resignation in 1822, when he left to sail, as a cabin boy, to Europe and South America in 1822. From 1827-1836 he worked as a topographical engineer, predominantly at Gosport Naval Yard in Norfolk, Virginia. He returned to Washington, D.C., in 1837 and from 1838-1849 worked for the United States Bureau of Topographical Engineers. Bruff then organized the Washington City and California Mining Association, which he accompanied to California on its overland journey in 1849. While in California he produced extensive journals and drawings of the mining camp experience. In 1853 Bruff returned to Washington, D.C., where he worked in office of the Supervising Architect of the Treasury Department until his death on April 14, 1889.

**Extent:** 265 items

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[\*\*Against the Odds, Young Native Girl Winning Ballet Competitions\*\*](#)

## [A Point in Time Clip | Native Americans in Nevada](#)

We look at the culture and some of the customs of the four major tribal groups in Nevada: Washoe,... [youtube.com](https://www.youtube.com/watch?v=...)



**Thur**  
**June**  
**13**  
**7 PM**

## **A Film & Panel Discussion about the Water Story of the Paiute**

PATAGONIA PASADENA  
47 N. Fair Oaks Ave  
626.795.0319  
@patagoniapasadena  
[patagonia.com/pasadena](http://patagonia.com/pasadena)

*Paya: The Water Story of the Paiute* tells the untold story of America's longest-lived water war between the Owens Valley Paiute and the City of Los Angeles. Using archival maps from 1856, the filmmakers spent four years working with Paiute elders to locate and map the tribe's remnant irrigation systems, ultimately laying the foundation for a "first use" water rights case now underway. Join us to see the film, followed by a panel discussion with Bishop tribal members, including two of the film's protagonists who will share their water stories. We'll have complimentary snacks and refreshments at this free event.

### **Panelists**

**Teri Red Owl**  
*Executive Director*

Owens Valley Indian Water Commission  
and Bishop Tribal Member

**Monty Bengochia**  
*Chairman*

Owens Valley Indian Water Commission  
and Bishop Tribal Member

**Paul Huette**  
*Vice Chairman*

Owens Valley Indian Water Commission  
and Big Pine Tribal Member

**Harry Williams**  
*TEPA Board Member*

Bishop Tribal Member