

## Native American girl wants to start something

By Marlena Hartz  
Lubbock Avalanche Journal

LUBBOCK, Texas — There is something missing at universities across the nation, according to Kelly Kenneth. Girls like her.

Kenneth, 16, is an American Indian. She grew up and lives in Zuni Pueblo, one of 19 Indian pueblos in New Mexico.

Should national statistics apply, the vast majority of her reservation peers will not pursue higher education.

"I really want to change that. I really want to change the statistics and make a difference," Kenneth said.

Kenneth has other big dreams, some of them brand new. She wants to be an obstetrician, she decided Tuesday, and she'd like to study at Texas Tech, she decided Wednesday.

"I want to help women and children," the girl said.

Kenneth is one of 22 high school juniors of Native American heritage enrolled in a free, weeklong college prep institute at Tech.

This is the first summer the university has offered the Native American Summer Bridge Institute.

"We hope that they'll walk away with the knowledge of how to start seeking out higher education," said Jobi Martinez, one of the institute's organizers and the director of Tech's Cross Cultural Academic Advancement Center.

Although American Indian college enrollment has more than doubled from 76,100 in 1976 to 165,900 in 2002, American Indians continue to have lower higher education participation rates than other minorities, according to 2007 study from the Institute for Higher Education Policy.

Many American Indians cannot afford to go to college or attend the college of their choice, the institute found.

About 13 percent had attained a bachelor's degree or higher, while about 28 percent of all Americans had, according to the study.

If Kenneth does attend Tech, she'll be part of the most underrepresented minority group that the university tracks, according to statistics from its Office of Institutional Diversity. Less than 1 percent of faculty, staff and students at the university have traditionally been of Native American descent, according to the office.

One of the goals of the Native American Summer Bridge Institute is to attract its enrollees to Tech, but it isn't the main goal, Martinez said.

"We, of course, hope that one of (their college choices) will be Texas Tech," she said.

But it's more important for organizers to instill the desire to pursue higher education, she said.

They seem to have succeeded with shy Ben Johnson, a Maryland junior who enrolled in the institute and is living in a dorm room and attending real college classes for the week.

Johnson, whose father comes from an Oklahoma tribe, believed his low grades and lack of participation in extra-curricular activities would bar him from pursuing higher education.

"Coming here has made college seem more probable," Johnson, 17, said. "I've always thought of it as a big deal that probably wouldn't happen."

He would be considered a first-generation college student if he attended a university, he and his mother, who also is enrolled in the institute, learned. His mother, Myra, doesn't have a college degree and his father, a construction worker, obtained just his associate's degree.

This opens new scholarship avenues to the teenager.

"(College is) something I hoped my children would go on to do," Myra Johnson said. "In this day and age, they have to."

# Senecas may get downtown casino

By Dan Herbeck  
Buffalo News

BUFFALO, N.Y. —The federal government says it has come up with a new interpretation of Indian gaming laws that could allow the Seneca Indian Nation to continue operating its downtown casino.

U. S. Justice Department lawyers Wednesday asked U. S. District Judge William M. Skretny to refer the casino dispute back to the National Indian Gaming Commission — an agency that already voiced its approval for the Buffalo casino.

If Skretny goes along with the request, it could be a major victory for the Senecas and allow them to move forward with the development of a \$333 million casino and hotel project in the city's Cobblestone District.

The new interpretation of Indian gaming law was issued in May by the Interior Department but was apparently not known to Skretny when he issued a ruling July 8, stating that the Senecas could not operate a casino on their Buffalo land.

"I'm quite optimistic that the new rule makes a dramatic difference," Seneca attorney Laurence H. Tribe told The Buffalo News. "Now that the new rule has been called to the judge's attention, it would be very difficult for him not to give it significant weight."

Cornelius D. Murray, the lead attorney for casino opponents, sees the issue differently.

"This is so transparently desperate that it's almost laughable," Murray said. "It's a joke, an absolute farce. . . . The government is now saying, 'Judge, the position we took for six years on this issue was wrong. Please let us reconsider.'"

The dispute now revolves around Section 2719 of the U. S. Indian Gaming Regulatory Act, which deals with questions about which lands owned by Indian nations can be used for gambling. According to government attorneys, the Interior Department changed its interpretation of Section 2719 in May, and the change will take effect Aug. 25.

Under the new interpretation, the government said, "restricted fee lands" — such

as the nine-acre parcel that the Senecas own in Buffalo — can be used for casino gambling.

If Skretny agrees to allow the National Indian Gaming Commission to reconsider the Senecas' application, Seneca attorneys Tribe and Chris Karns said they are "very optimistic" that the application will be approved.

But Murray said the judge should continue to keep the dispute in his courtroom.

The government is doing "a 180-degree, complete about-face" from the previous positions it took on restricted fee lands, he said. Those lands are defined as properties that are owned by an Indian tribe but cannot be taxed and cannot be sold without the permission of the federal government.

Murray added: "I guess the Senecas and the government can't take no as an answer from Judge Skretny. They want this case to go back to a friendly forum, the gaming commission."

Until this week, none of the lawyers on either side of the dispute had alerted Skretny to the recent change in interpretation, Tribe said.

"I must say, that's a little bit

of a mystery to me," Tribe said. "It wasn't called to his attention by either party. Perhaps it's because the change doesn't take effect until Aug. 25."

In Skretny's order earlier this month, the federal judge vacated a July 2007 decision by the gaming commission, which granted permission to the Senecas to run a gambling casino in Buffalo.

Skretny ruled that the gaming commission's decision had been arbitrary, capricious and contrary to law.

But the judge also ruled that, in his view, the land purchased by the Senecas should now be considered sovereign Indian territory under the law.

In what critics see as an act of defiance, the Senecas have continued to operate their small temporary casino on Michigan Avenue since Skretny's July 8 ruling. And they have continued building their much bigger hotel-casino project nearby.

According to new court papers filed by the Senecas, the government has told the Senecas it has no current plans to take any "precipitous action" to shut down the Buf-

falo Creek Casino.

Webster's Dictionary defines "precipitous" as "hasty, rash or sudden."

While the Justice Department has asked Skretny to allow the gaming commission to reconsider the Senecas' application for a Buffalo gaming ordinance, Seneca lawyers have filed a new application for a new gaming ordinance at the same downtown location.

The next court appearance on the casino dispute is scheduled for Aug. 21 before Skretny. The judge will hear arguments from Citizens Against Casino Gambling in Erie County, who want him to direct federal marshals to shut down the temporary casino.

Skretny has not yet responded to the Justice Department request that he allow the gaming commission to reconsider the Senecas' case.

Regardless of the judge's actions, both sides agree the legal dispute is far from over. The eventual loser in Skretny's court would be likely to appeal to the Second Circuit Court of Appeals and perhaps beyond that to the U. S. Supreme Court.

## Running camp



Jeff Jones/Independent

Cross country coach Kelly DinéYazhi instructs runners about the course they will follow Wednesday during a one-day running camp at Tohatchi High School to teach them about nutrition, clothing and the mental and physical challenges involved with running.

## Tahlequah woman to compete in wheelchair pageant

Muskogee Phoenix

MUSKOGEE, Okla. — Elizabeth Reeve, a Cherokee-Delaware citizen and Tahlequah resident, knows the challenges associated with having a disability, first through her students and later through a life-altering injury. Reeve will tackle a new challenge this week as she vies for the Ms. Wheelchair America title in Maryland.

"The closer the competition gets the more nervous I become," Reeve said. "I never gave much thought about taking part in a pageant before and now here I am competing for a national title."

Reeve is the Ms. Oklahoma Wheelchair representative and a recent graduate of Northeastern State University.

A spinal cord injury and other medical issues caused Reeve to lose her ability to walk and caused her to make adjustments in her life that led her to the Cherokee Nation's Vocational Rehabilitation (CNVR) Project.

"Before coming to the Cherokee Nation, I had a negative attitude," Reeve said. "I was a special education teacher before my injury and thought that I had a good understanding of what my students were going through. I was wrong. I only began to understand when I found myself in a wheelchair."

Reeve said Vocational Rehabilitation taught her to set a new plan of action for her life. With the assistance of the tribe's program, Reeve learned how to work through her problems and physical limitations. Reeve also obtained a bachelor's degree in Business Administration from NSU and graduated among the top of her class.

"Cherokee Nation's Voc Rehab has taught me to become more of an advocate for myself and enabled me to begin a new career path. I feel like I can be more of an assistant to the community now and the program has given me life skills that I might not have had."

Cherokee Nation Vocational Rehabilitation assists Native Americans with disabilities with the costs associated with acquiring the skills needed to find or maintain gainful employment. Services provided through Vocational Rehabilitation include counseling and guidance, classroom training, support services and interviewing skills as well as other resources.

To be considered for the Cherokee Nation's Vocational Rehabilitation Project, applicants must be a member of a federally recognized Indian tribe, reside in the 14-county jurisdictional area of the Cherokee Nation, have a mental or physical disability which interferes with employability and who can benefit from services rendered.

"Our department congratulates Elizabeth on all of her accomplishments," said Mary Ross, CNVR Counselor. "She has always been a pleasure to work with and an inspiration. I wish her luck in the upcoming national pageant and all of her professional goals."

# Bruning doubtful of racial bias in area legal system

By George Ledbetter  
Chadron Record

CHADRON, Neb. — In a July 15 interview at The Chadron Record office, Bruning said he doesn't think local police, sheriff's staff or prosecutors treat Native Americans differently than others, as Means has charged.

Asked about statistics that indicate proportionately more law enforcement stops of Native Americans than their make up in the area population, Bruning said the numbers are not necessarily related to racism. "It's always difficult to get a handle on whether a particular racial group is stopped more because of racism, or whether they are stopped more because they are disproportionately committing crimes," he said. "Is it the police who are stopping more Native Americans, or is it

the Native Americans who are giving the police more reasons to stop them? I don't know the answer to that."

Bruning added that he believes the Nebraska State Patrol is mostly free of racial bias. "I don't believe there is racism in the State Patrol, with the exception of one officer who I'm trying to run out on a rail," he said, referring to an ongoing effort to terminate a State Patrol officer who joined an organization with ties to the Klu Klux Klan. "I have great faith in our State Patrol...I don't think there is racism going on in Nebraska law enforcement."

Even in the case of the trooper who joined a racist group "we don't have any proof that he did (racial profiling in arrests)," said Bruning.

An effort to improve law enforcement in White Clay in response to protests against the sale of beer to people from the

adjacent Pine Ridge Indian Reservation, where alcohol is banned, hasn't yielded much improvement, according to Bruning. "It has been frustrating. At one point we had a significant amount of money appropriated but the tribe didn't want to cross deputize (their law enforcement officers)," he said. "I think part of it depends on stable leadership in the tribe."

But he vowed to continue the effort. "The cross deputization is still possible. It takes will on the part of the tribe," he said. "I'll never give up."

And Nebraska has stepped up law enforcement in White Clay, according to Bruning. "The state of Nebraska is not ignoring the problem," he said. "I would say that the state of Nebraska spends a disproportionate amount on policing White Clay compared to the population."

Asked about the recent release of statis-

tics showing a decrease in crime in Nebraska, Bruning gave credit to good law enforcement, and increased emphasis on community corrections. He also touted a program in use in South Dakota which requires individuals who have more than one drunk driving conviction to check in twice a day for an alcohol test as a condition of probation.

The program utilizes an inexpensive breath test, and doesn't require law enforcement personnel to staff the centers where the tests are taken, according to Bruning. Participants pay a dollar for the test, which costs the state only a few cents per test, plus staff costs, he said, and the results are highly successful. "It seems to be working really well. It is not only keeping them (participants) out of jail, it's keeping them off the roads," Bruning said.