

# INDIAN LEAP NEWSLETTER

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## FAMILY GATHERING RAINED OUT

The Family Gathering scheduled for Saturday, October 3<sup>rd</sup> at the Mohegan Park in Norwich was rained out. Native tribes generally encourage the rain to fall through a variety of ceremonies and creative expressions, each with deep meanings that reflect our culture's unique experience of the world. Those meanings are vividly depicted in stories, songs, poems, and prayers to/for rain. Unless there were Tribal Members praying for rain, we can only conclude that the Creator felt it was more important to water the park than to make it dry and clear for our event.

The cancellation of the social was thought to be self-evident but we apologize to those members who braved the weather and showed up for the social regardless of the rain. We really do not have a good way of informing members of last minute changes in plans.

But do not fret, there will be a Family Gathering on Sunday, December 13th from 12:00PM to 3:00PM, to be held at the VFW in Uncasville COME RAIN OR SHINE!

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### *MARK YOUR CALENDAR!*

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#### FAMILY GATHERING

A Family Gathering will be held at the Uncasville VFW on December 13, 2009, from 12:00-3:00pm. The VFW Hall is located on Raymond Hill Road in Uncasville, CT.

Please come and enjoy the social. It's great to get together with all of our Native American families and friends. Hope to see you there.

It's a potluck, so don't forget to bring a dish, a dessert, or both!

Directions: I-395 to exit 79A, CT-2A; take CT-2A East for 0.5 miles to exit 1, CT-32 (Norwich New London Tpk); turn right onto CT-32 and go South for 2 miles to Raymond Hill Rd; turn hard right onto Raymond Hill Rd and go Northwest for 0.2 miles to 97 Raymond Hill.

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#### 2009/2010 MEMBERSHIP DUES ARE DUE

Tribal Council would first like to thank all Tribal Members for their financial support through 2009. As a result of your support, we were able to maintain our Tribal Office, publish the quarterly newsletter, pay for the function halls we use for meetings and gatherings, and support the culture club for our children.

Send your dues (\$36) to Toni Cook at the address below and if you do not know where you stand with respect to your dues obligation, call Toni at (781) 944-3580.

Tribal Council continues to offer “Active” Tribal Members an opportunity to purchase a “Lifetime” membership. No more worrying about whether your dues are paid up, no more worrying about future increase in dues.

In order to qualify today, your dues must be paid-up through the end of 2009. Then for a one-time fee of \$150, you can become a “lifetime” member of the Tribe. Just send a simple note requesting a “Lifetime” membership along with a check made out to the Native American Mohegans to:

Mrs. Toni Cook  
94 Salem Street  
Reading, MA 01867

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## 2ND CIRCUIT DENIES SCHAGHTICOKE POLITICAL INFLUENCE APPEAL

By Gale Courey Toensing, Indian Country Today, Oct 26, 2009

NEW YORK – Despite the latest setback in the Schaghticoke Tribal Nation’s long quest for federal acknowledgment, Chief Richard Velky said he will continue to pursue justice and federal status for his people.

A three-judge panel of the 2nd Circuit Court of Appeals upheld a federal district court ruling denying federal recognition to the tribal nation.

In a six-page ruling Oct. 19, the panel acknowledged that an intense lobbying campaign to overturn STN’s federal status took place and involved elected officials in Connecticut, including Gov. Jodi Rell, Attorney General Richard Blumenthal, and members of the state’s congressional delegation.

The 2nd Circuit judges said officials lobbied the secretary of the Interior and other Interior Department officials “expressing an adamant opposition to the Interior Department’s potential acknowledgment of the Schaghticoke.”

But they lined up behind U.S. District Court Judge Peter Dorsey’s conclusion last year that the federal decision makers were not affected by the acknowledged fury of political pressure on them, because they said so.

“Interior Department officials uniformly testified in depositions that they were not influenced by the political clamor surrounding the Schaghticoke,” and, therefore, “the evidence submitted by the Schaghticoke cannot support a claim of improper political influence,” the panel said.

The statement contradicts a comment made by Judge José Cabranes at the Oct. 8 hearing in the 2nd Circuit.

“Of course, it’s hard to imagine they would say they were influenced.”

Velky said it was hard to imagine how the judges dismissed the evidence of political influence.

“When politicians coordinate their efforts and go to Washington and demand that the Interior Department overturn our federal recognition, and they do, how can you deny that’s political influence? We’ll be consulting with our legal counsel to form a strategy for our next step. We’re not quitting now. We’re going to continue to pursue justice for our people.”

STN received federal acknowledgment Jan. 29, 2004. Within minutes, Blumenthal and congressmen denounced the BIA and vowed to fight to reverse the decision. After 18 months, the BIA issued a Reconsidered Final Determination reversing the nation’s acknowledgment.

The 2nd Circuit did not have access to all of the nation’s evidence because Dorsey agreed to Blumenthal’s request to strike eight of 19 documents from the record that provided some of the most damning evidence of the organized opposition’s efforts to exert political influence on the decision makers.

Among them is an e-mail from Barbour, Griffith & Rogers, the Republican lobbyist now known as BGR, outlining an “under the radar” strategy and “tight coordination” among Rell, the congressional delegation and local officials in “surrounding the Department of the Interior” through meetings, budget hearings, the Jack Abramoff investigation and other venues with their lobbying efforts.

“Importantly, the political efforts must also be coordinated with the legal strategy being led by the attorney general (Richard Blumenthal) and Perkins Coie (lobbyist), which we are working to make sure occurs in Washington,” BGR wrote.

Another e-mail shows that BGR wrote a letter signed by Rell and sent to Sen. John McCain, R-

Ariz., the former chairman of the Senate Committee on Indian Affairs, criticizing the BIA decision to grant Schaghticoke federal acknowledgment.

The 2nd Circuit also determined that James Cason, the associate deputy secretary who reversed the nation's federal recognition, had the authority to do so, denying the nation's claim that Cason's action as the "decision maker" violated the Appointments Clause of the Constitution, because he was not nominated by the president and approved by Congress, and the Vacancies Reform Act.

The judges erroneously refer to Cason as "a career employee" of the Interior Department when he was a Bush appointee. Cason was among a group of Interior officials from Colorado who shared the common experience of having been advocates or lobbyists for big oil, gas, coal and mining corporations that operate on public and Indian lands, including former Interior Secretary Gale Norton, who is currently under grand jury investigation on corruption charges, and former Deputy Secretary Steven Griles, who was indicted in 2007 on obstruction of justice charges over his involvement with criminal former lobbyist Jack Abramoff.

Blumenthal issued a statement on the 2nd Circuit ruling.

"This decision is the legal coup d' grace (sic) – finally putting this meritless petition out of its misery. In a case of Groundhog Day, the Schaghticoke's recognition claims have been rejected again. An appeal to the U.S. Supreme Court – the only recourse left – would be futile and foolish, and we will fight it vigorously."

The tribe can request a rehearing by the same three-judge panel or a hearing by the full en banc nine-member court, or petition the U.S. Supreme Court, but Indian law experts, including John Echohawk, executive director of the Native American Rights Fund, advise tribal nations against taking cases to the high court.

Velky said Blumenthal's remarks were "racist."

"He owes an apology not just to the Schaghticoke people, but also to the state of Connecticut. That he would defame a people is a disgrace. He's supposed to be an educated, dignified man, but he treated us like we were a disease, not a people, and his remark about a coup de grace – a final death blow – has genocidal implications. The state attorney general should be above that kind of behavior."

The Washington circle of lawyers and others involved in Indian law acknowledge that STN was cheated out of its federal acknowledgment by unlawful political influence, but they are unwilling to go on record, "because I still have to work with the BIA," one said.

Matthew Fletcher, an Indian law professor at Michigan State University College of Law and director of MSU's Indigenous Law and Policy Center, called the 2nd Circuit ruling "depressing" and bemoaned the fact that "the Obama administration did nothing. They've reversed litigation positions brought by the Bush II administration before, but don't seem willing to do it for Indians. I suppose they need (Connecticut Sen. Christopher) Dodd and the Connecticut congressional delegation for health care or whatever, but this is just wrong."

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### HALLOWEEN MOHEGAN STYLE

Here is photo of a carved pumpkin skillfully crafted by Kristen (Fowler) Musto for the Halloween holiday.



Kristen felt that it exemplifies the Native American Mohegan spirit!

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### THE WOLF AND THE INDIAN

by Debra McCann

*The Wolf and the Indian once lived in harmony ...  
They Hunted together and their spirits touched.*

It's not surprising that the Indian saw the wolf as a significant animal. Both were hunters of which the survival of their families depended. The Indian was very aware of the many ways in which his own life resembled those of the wolf. The wolf hunted for

himself and for his family. The wolf defended his pack against enemy attack, as the Indian defended his tribe. He had to be strong as an individual and for the good of the pack. It was a sufficient system of survival; and in the eyes of the Indian, no animal did this as well as the wolf. The Indian worked to be as well integrated in his environment, as he could see the wolf was in the universe.

The hunter did not see the wolf as an enemy or competitor, or as something less than himself. His perception of the wolf was a realistic assessment of the wolf's ability to survive and thrive, to be in balance with the world they shared. He respected the wolf's patience and perseverance, which were his most effective hunting weapons. To say he hunted like a wolf was the highest compliment, just as to say a warrior fought like the wolf was high praise.

The wolf moved silently without effort, but with purpose. He was alert to the smallest changes in his world. He could see far and his hearing was sharp. When an Indian went into enemy territory, he wished to move exactly like this, to sense things like the wolf.

The wolf fulfilled two roles for the Indian: he was a powerful and mysterious animal, and so perceived by most tribes, and he was a medicine animal, identified with a particular individual, tribe or clan.

At a tribal level, the attraction to the wolf was strong, because the wolf lived in a way that made the tribe strong. He provided food for all, including the old and sick members of the pack. He saw to the education of his children. He defended his territory against other wolves.

At a personal level, those for whom the wolf was a medicine animal or personal totem understood the qualities that made the wolf stand out as an individual. For example, his stamina, ability to track well and go without food for long periods.

The definition and defense of home range was as important to the Indian as it was to the wolf. The boundaries of most Indian territories, like those of wolves, changed with the movement of game herds, the size of the tribe and the time of year.

The tribe, like the pack broke up at certain times of the year, and joined together later to hunt more efficiently. Both the wolf and the Indian hunted the same type of game and moved their families to follow specific game herds.

Deer sought security from Indian hunters by moving into the border area between warring tribes, where hunters were least likely to show up, just as they did between wolf territories, where wolves spent the least time hunting.

The Indian believed that dying was not a tragic event. It was important to the Indian that he die well, with dignity, to consciously choose to die even if it is inevitable. This kind of self-control in the face of death earns a warrior the greatest glory. This way of thinking is similar to the moment of eye contact when a wolf meets its prey. This "conversation of death" determines whether the prey lives or dies. The prey must be willing to die. There is nobility in this mutual agreement.

Among the Cherokee, was a belief that to kill a wolf was to invite retribution from other wolves. This way of thinking parallels the laws of the tribe, where to kill an Indian meant to expect revenge from his family members.

Wolves ate grass, as Indians ate wild plants, both for medicinal reasons. Both were family oriented and highly social in structure. Both the Indian and the wolf used a sign language.

Wolves and Cree Indians in Alberta maneuvered buffalo out onto lake ice, where the big animals lost their footing and were more easily killed.

Pueblo Indians and wolves in Arizona ran deer to exhaustion, though it might have taken the Pueblos to do it.

Wolf and Shoshoni Indian lay flat on the prairie grass of Wyoming and slowly waved, the one its tail, the other a strip of hide, to attract curious but elusive antelope close enough to kill.

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## OBAMA MEETING EXCLUSION INSULTS STATE RECOGNIZED TRIBES

By Gale Courey Toensing, Indian Country Today, Oct 30, 2009

PALM SPRINGS, Calif. – The White House announcement that President Barack Obama and tribal leaders will meet in early November was greeted with elation at the National Congress of American Indians annual conference, but that happiness soon turned to disappointment for representatives of state-recognized tribes who learned they would be excluded from the historic event.

“The interests of the state tribes should be just as important as the interests of the federal tribes,” said the Rev. John Norwood, president of the Nanticoke Lenni-Lenape Tribal Nation.

“I don’t begrudge our federal brothers and sisters one iota. I know they deal with different issues in some respects and I think having an audience to deal with those types of issues is appropriate. But to be snubbed and not to be told that there will be a meeting for us state recognized down the road is surprising,” Norwood said.

Obama’s invitation to meet was delivered on Columbus Day during NCAI’s 66th Annual Conference and Trade Show in Palm Springs. The conference was attended by tribal leaders and representatives from almost 150 tribal nations.

Joe Garcia, who was still president of the national organization at the time, expressed the general sentiment of happiness that Obama would make good on his campaign promise to meet with the tribes.

“Indian country has been waiting for well over a decade for a meeting of this caliber with the President of the United States.”

The meeting will take place Nov. 5 at the Sidney R. Yates Auditorium at the Department of the Interior.

Leaders of the 564 federally recognized tribes have been issued invitations to send one representative to the meeting. The announcement said tribal leaders will be given the opportunity to interact directly with the president and other top administration officials.

“I look forward to hearing directly from the leaders in Indian country about what my administration can do to not only meet their needs, but help improve their lives and the lives of their peoples,” Obama said.

Larry Townsend, the tribal veterans service officer for the Lumbee Tribe of North Carolina, said NCAI should be pushing to have the state recognized tribes included.

“This organization is the National Congress of American Indians. It’s not the National Congress of the Federally Recognized American Indians. So NCAI has an obligation and a duty to make sure its members are duly represented, but we’re being told (the meeting) is for federally recognized tribes only. Is NCAI differentiating between us? Are we or are

we not Indian tribes? I heard on the podium this morning that we’re an organization for all Indians.”

Townsend said representatives of state recognized tribes had complained to NCAI leadership about being left out.

“We voiced our objections to Jefferson Keel (the newly elected NCAI president), Joe Garcia, Juana Majel-Dixon, who is the first vice president, Theresa Two Bulls, the secretary, and Ron Allen, the treasurer. And there are others who feel like us. We’re all in this boat together. We’re like a chain. We’re only as strong as our weakest link,” Townsend said.

“NCAI does not set the White House invitation list. NCAI has urged the White House to include the state recognized tribes, most recently in NCAI Resolution PSP-09-008. In past meetings that administrations have had with tribal leaders, state recognized tribes were also not invited. This is not a new precedent that the White House does not include federally recognized tribes. Simply put, NCAI does not make this decision,” Keel said.

Norwood said Obama received the support of almost all of Indian country, including state and federally recognized tribes, and non-recognized Indian people, and said he was disappointed that history seems to be repeating itself.

“This is the second time it’s happened since I’ve been involved with NCAI. The first time was under George Bush, but we kind of understood that. I guess it’s a shocker that Obama is doing the same thing, because all of Indian country is the same. We were sovereign before the existence of the United States.”

When NCAI interfaces with the federal government, it should represent all of the tribes, Norwood said.

“Our situation needs to be addressed by this administration, because what you have effectively in this country is a form of apartheid, but it’s at a tribal level and I’m hoping Obama will fix that.”

Norwood said the state recognized tribes are talking about coordinating their efforts to address the issue.

Pointing to himself and Lance Gumbs, Shinnecock and NCAI’s newly elected representative for the northeast region, Norwood said, “You have two of the tribes of first contact sitting here at this table and to consider the fact that we’re being snubbed – it’s

an insult and it's insensitive and it also shows a lack of understanding. My hope is we can communicate that to the administration so we don't repeat the last eight years."

It's a story that needs to be told, Gumbs said.

"Inside or outside of NCAI, this is a problem and we as state tribes need to start addressing what's going on. It's great that our federal brothers are going, but a piece of card doesn't make them more Indian than us. That's just reality. I was born Indian and I'll die Indian."

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#### SKIBINE ISSUES A PROPOSED FINDING AGAINST ACKNOWLEDGMENT OF THE BROTHERTOWN INDIAN NATION

In a U. S. Department of Interior News Release dated August 17, 2009, acting Principal Deputy Assistant Secretary-Indian Affairs George T. Skibine issued a proposed finding not to acknowledge the Brothertown Indian Nation (Petitioner #67) as an Indian tribe. The Brothertown Indian Nation, located in Fond du Lac, Wisconsin, has 3,137 members.

According to the Office of Federal Acknowledgment, the evidence the petitioner provided did not meet five of the seven mandatory criteria for federal acknowledgment. The failure to meet all seven criteria requires a determination that the petitioning group is not an Indian tribe within the meaning of federal law. Therefore, the Department declined to acknowledge the Brothertown petitioner.

This proposed finding treats the Brothertown Indian tribe of Wisconsin that was acknowledged by the U.S. government until 1839 as the "historical Indian tribe." This historical tribe evolved from the Brothertown Indian tribe of New York State when a large portion of the tribe moved from New York to Wisconsin. At an earlier time, portions of several historical Indian tribes of Rhode Island, Connecticut and Long Island had combined to form the Brothertown Indian tribe of New York. The proposed finding evaluates whether the petitioner meets the acknowledgment criteria by demonstrating that it is a continuation of the historical Brothertown Indian tribe of Wisconsin.

The evidence in the record indicates that a Senate proviso to a Treaty of 1831, a Treaty of 1832 and an Act of 1839 constitute "unambiguous previous federal acknowledgment" of the Brothertown Indian tribe of Wisconsin. Therefore, in accordance with provisions of the regulations relating to previously acknowledged Indian tribes, the proposed finding evaluated the Brothertown petitioner on the basis of whether or not it meets the seven mandatory criteria from the last federal acknowledgment in 1839 until the present.

The five criteria the Brothertown petitioner did not meet were:

Criterion 83.7(a), which requires that external observers have identified the petitioner as an American Indian entity on a substantially continuous basis since 1900, even though the evidence in the record demonstrates that external observers identified a historical Brothertown group from 1839 until 1855, and between 1855 and 1981, outside observers periodically identified a Brothertown Indian entity. In addition, the petitioning group has been identified as an American Indian entity since 1981. However, because these periodic identifications were separated by long periods of time in which the petitioner or its members' ancestors were not identified as an Indian entity, the petitioner did not satisfy the standard of "substantially continuous" identification as required by the regulations.

Criterion 83.7(b), which requires that a predominant portion of the petitioning group has comprised a distinct community since historical times. The petitioner must demonstrate only that a predominant portion of the petitioning group comprises a distinct community "at present," which for this case was considered to be the period since the petitioner formally organized in 1980. For the period from 1980 to 2009, there was insufficient evidence that a predominant portion of the petitioning group's members regularly associate with each other or that the petitioner's members comprise a distinct community.

Criterion 83.7(c), which requires that the petitioning group has maintained political influence over its members as an autonomous entity since historical times. The petitioner did not meet the requirements

of this criterion because the evidence in the record did not demonstrate that authoritative, knowledgeable external observers identified leaders or a governing body of the petitioning group on a substantially continuous basis since the date of last federal acknowledgment in 1839. Alternatively, the evidence in the record was insufficient to demonstrate that the petitioner or any group antecedent to it maintained political influence or authority over its members at any time since 1839.

Criterion 83.7(e), which requires that the petitioner's members descend from a historical Indian tribe. The evidence in the record shows that only 51 percent of the petitioner's 3,137 members have demonstrated descent from an individual known to be a member of the historical Brothertown Indian tribe of Wisconsin. The claims of descent from the historical Indian tribe for additional members of the petitioning group may be demonstrated for the final determination.

Criterion 83.7(g), which requires that the petitioner not be subject to congressional legislation that has terminated or forbidden the federal relationship. Congress, in the Act of 1839, brought federal recognition of the relationship with the Brothertown Indian tribe of Wisconsin to an end. By expressly denying the Brothertown of Wisconsin any federal recognition of a right to act as a tribal political entity, Congress has forbidden the Federal Government from acknowledging the Brothertown as a government and from having a government-to-government relationship with the Brothertown as an Indian tribe. Congress has both expressly ended and forbidden the federal relationship for this petitioner.

After the 180-day comment period, the petitioner will have an additional 60 days to respond to the comments from interested parties. After the response period closes, the Department will begin work on a final determination.

Copies of the proposed finding and Federal Register notice will be posted on the Department of the Interior's website at <http://www.doi.gov>.

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## WORDS OF WISDOM

### Just Looking For Some Peace

So live your life so the fear of death can never enter your heart. Trouble no one about their religion; respect others in their views, and demand that they respect yours. Love your life, perfect your life, beautify all things in your life. Seek to make your life long and of service to your people. Prepare a noble death song for the day when you go over the great divide. Always give a word or sign of salute when meeting or passing a stranger if in a lonely place. Show respect to all people, but grovel to none. When you arise in the morning, give thanks for the light, for your life and strength. Give thanks for your food and for the joy of living. If you see no reason for giving thanks, the fault lies in yourself. Touch not the poisonous firewater that makes wise ones turn to fools and robs them of their visions. When your time comes to die, be not like those whose hearts are filled with fear of death, so that when their time comes they weep and pray for a little more time to live their lives over again in a different way. Sing your death song, and die like a hero going home.

Tecumseh

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## ANNOUNCEMENTS

Toni and Frank Cook are happy to announce the births of their two grandsons; William Christopher Cook, born on September 29<sup>th</sup>, son of Cory and Matthew Cook, and Stephen Jack Hersey, born on October 31<sup>st</sup>, son of Jessica and Stephen Hersey.

*(If you have any announcements you would like printed in the next newsletter, send them to the office at 77 East Town Street, Norwich, CT, 06360, or call (860) 892-1039 or email to:*

*info@nativeamericanmohegans.com.*



## Special Remembrances



BRADLEY RUSSELL LAMPHERE  
October 23, 1941 to October 2, 2009

Bradley R. Lamphere was the son of the late William and Minnie (Fowler) Lamphere.

Mr. Lamphere was married to the former Loretta M. Staples Duarte on Oct. 5, 1996, in Ledyard.

For over 30 years, he had been employed as a designer at the Electric Boat in Groton. He had a love of the ocean and was an avid hunter and fisherman who enjoyed many outings with his special friends.

Besides his wife, he is survived by two sons, Bradley R. Lamphere Jr. and his wife, Susan, of Brunswick, Maine and Daniel Lamphere of Voluntown and his fiancée, Doreen Burdick and her children, Yonik, Robert, and Leah; two step-daughters, Monica Picco and her husband, Joseph, of Voluntown and Melissa Lathrop of Hartford; two brothers, William Lamphere of North Stonington and David Lamphere of Virginia; five grandchildren, Benjamin, Terrance, Domonic, Nichole, Mason; and his daughter-in-law, Kellie Duarte of Griswold.

He was predeceased by his first wife, Rita Lamphere and a step-son, Mark Duarte.





*Native American Mohegans, Inc.*  
77 East Town Street  
Norwich, CT, 06360

