

2007

The Burdens of Indians' Affairs, 2007

University of Montana--Missoula. School of Journalism. Native News Honors Project

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UNIVERSITY OF MONTANA • SCHOOL OF JOURNALISM
2007

The BURDENS of INDIANS' AFFAIRS

A special report about the uneasy relationship
between Montana's Indian nations and the
Bureau of Indian Affairs.



2007 Native News Honors Project

Through the Bureau of Indian Affairs, the federal government influences the daily lives of American Indians in a way that is unlike its involvement with any other U.S. citizens. With dozens of departments, which vary from law enforcement to real estate, the BIA plays an important role on Montana's Indian reservations and for the state's landless Indians as well.

Who inherits, purchases or leases much of the land on reservations requires BIA approval. What level of law enforcement will be provided to establish justice or hinder the further spread of drug use in Indian communities hinges heavily on decisions made by the BIA. When tribes seek economic development from using natural resources or decide how to use federal funding, the BIA has a say.

This in-depth report by journalism students at the University of Montana looks at these topics and others, attempting to illuminate how the BIA affects people who live on six of the state's seven Indian reservations. Under the Self-Determination and Education Assistance Act, some tribal governments, like that on the Flathead Reservation, have assumed so many duties once undertaken by the BIA that the agency has little oversight responsibility today. That's why you won't find a story on these pages from the Flathead. You will learn more, however, about how

the state's landless Indians, the Little Shell, have worked for years to get official recognition from the BIA. An important step in their quest was taken this spring when the state agreed to lease to them a plot of land that they can call their own.

The ties that bind Indian people and the BIA, however, are often taut with a tension that stretches through the agency's 182-year history. From its roots in the Department of War and across a century during which the U.S. government committed grave acts of violence against hundreds of Indian tribes, the BIA has evolved into an institution that exists to serve Indian people, though arguably with insufficient funding and a bureaucracy so complex it sometimes moves at glacial speed.

Despite its inadequacies and its dictate to enforce regulations that often frustrate tribal members, BIA employees today strive to correct the injustices imposed on Indians in the past when the agency had a more paternal role.

"Just like you, when we think of these misdeeds and their tragic consequences, our hearts break and our grief is as pure and complete as you," former BIA director Kevin Gover said in 2000 in a speech. "We accept this inheritance, this legacy of racism and inhumanity. And by accepting this legacy, we accept also the moral responsibility of putting things right."

- Mary Hudetz and Kristine Paulsen

Acknowledgements

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If you have comments about this series, we'd like to hear from you.

Write to: Native News Honors Project, School of Journalism, 32 Campus Drive, University of Montana, Missoula, MT 59812, or email us at

carol.vanvalkenburg@umontana.edu, or
teresa.tamura@umontana.edu



Staff

photo editor
Ryan Tahbo

design editor
Tim Kupsick

web designers
Denny Lester . Elizabeth Davis

editors
Ethan Robinson . Allison Squires

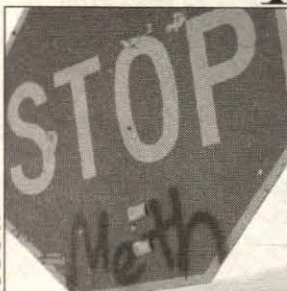
professors

Teresa Tamura . Carol Van Valkenburg

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Photo by Russel Daniels, Fort Belknap

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Crow

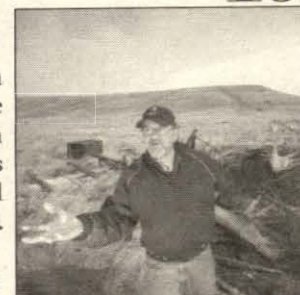


Methamphetamine use is exploding on the Crow Reservation. With only 17 officers to patrol a reservation twice the size of Delaware, the Crow are fighting an uphill battle. The BIA has pooled resources with the tribe, the FBI, and other law enforcement agencies to create an anti-meth task force, but the challenges are formidable.

Story by **Jacob Baynham** Photography by **Adam Sings In The Timber**

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Little Shell

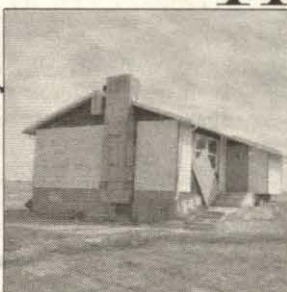


The Little Shell Indians have been scattered across Montana since they were evicted from their tribal homelands more than a century ago. Now, these landless people have been granted a lease on a small piece of state land that gives them a place to call their own, as well as a much-needed foothold in their fight for federal recognition.

Story by **Timothy Ratté** Photography by **Tyler Wilson**

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Northern Cheyenne

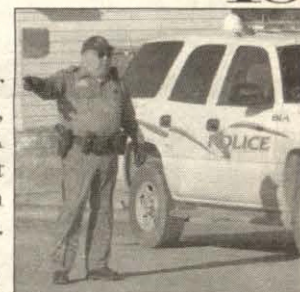


Families that hope to buy a house on reservation trust land face a morass of red tape. One Northern Cheyenne family found that BIA regulations require a series of reviews and approvals that can drag on for years. Other families hoping for help to repair their homes wait for years to get money from a cash-strapped program that is now in danger of elimination by the Bush administration.

Story by **Mary Hudetz** Photography by **Devin Wagner**

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Blackfeet



William Westwolf Jr. and Zach Gervais died in the winter of 2007. The blame for the unexpected deaths, many say, lands squarely on the BIA. Now, four years after the BIA retook control of law enforcement on the Blackfeet Reservation, many are calling for the Blackfeet to regain the authority they lost.

Story by **Daniel Person** Photography by **Ryan Tahbo**

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Fort Peck



Fort Peck Reservation farmers are struggling to hold onto their land. A crumbling BIA irrigation system adds to their challenges, as many find it hard to get water to crops and others are charged for water they never use. Also at Fort Peck, one Indian farmer has fought a different kind of battle for his land, claiming that parts leased by the BIA to a white rancher were destroyed by overgrazing.

Story by **Jessica Mayrer** Photography by **Kristine Paulsen**

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Rocky Boy's

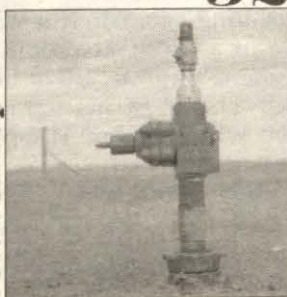


A new health clinic on Rocky Boy's Reservation will aid the Chippewa Cree in encouraging tribal members to embrace preventive health care. But the clinic won't help the many diabetics who must travel off the reservation to undergo the dialysis they need in order to survive.

Story by **Amber Kuehn** Photography by **Ashley McKee**

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Fort Belknap



For decades, mineral development on the Fort Belknap Reservation has proven a disappointing venture. Gold mining has scarred the mountains and poisoned the waters. Exploratory oil wells lay abandoned, reclaimed by the reservation's vast prairie. But the BIA rekindled petroleum interest with a mineral rights auction in 2005. Now an Indian-owned company hopes to secure exploration rights on tribal tracts and take the lead in oil exploration on the reservation.

Story by **Alex Sakariassen** Photography by **Russel Daniels**



the Devil's Dandruff

A meth epidemic is ravaging the Crow Reservation.

The tribe and the BIA have only a handful of men and a pocketful of change to fight it.

T *Story by Jacob Baynham*

Photography by Adam Sings In The Timber

These hills were made for hiding.

From the Wolf Mountains to the southern Montana sky, they roll across the Crow Reservation in sheets of sage and silver. They roll from the banks of the Bighorn River to the asphalt of Interstate 90, which throbs through them like a loaded vein. The pavement thumps with traffic blinking south in the sun. The beat of its pulse is measured in truckers and tourists, in day-trippers and drug dealers.

The hills once hid Sioux and Cheyenne warriors when they mounted their greatest victory over the U.S. Army, in the Battle of the Little Bighorn.

Today, 130 years later, they still hide.

They hid Mary, in her days of addiction, when she lost consciousness after "slamming" methamphetamine into her veins for days. She came to, finding herself lying in a bathtub in someone else's house in Hardin. She was wearing nothing but a T-shirt. The shower was running. Piled on

the floor were the remains of her knee-length hair, which she must have cut. Beside that were her clothes. They were covered in blood.

They hid Lenny too, not long ago, when it was raining, and he sat alone in a leaky, abandoned house, darkened but for a single flame, silent but for the persistent "chick," "chick" of his lighter, lifeless but for the hot white vapor ripping through his lungs.

And they continue to hide Anna when, after

Tribal Police Officer Clayvin Herrera says he doesn't know if the person who tagged a stop sign near Lodge Grass High School with the message "Stop Meth" is actually opposing methamphetamine use or if it is someone mocking law enforcement.

being awake and high on meth for as long as 17 days, she crashes in her house shuttered by blankets slung over the windows and doors. Anna has no job and lives on a \$420 monthly welfare check. She buys food for her children with whatever she doesn't spend on her addiction. Recently she went a year without electricity because she couldn't afford both her drug and her bills. When she's coming down from a high, her head feels like it will crack open. Her damaged body aches. She sees bugs and worms crawling around her and faces that aren't really there.

And more than anything, she hates – she *hates* – what she has become.

The tawny hills of the Crow Indian Reservation in southcentral Montana are alive with the secrets of a rampant methamphetamine addiction. The Bureau of Indian Affairs has joined with other law enforcement agencies to combat the problem on this reservation of 7,900 people, but lacks both the money and the manpower to make all but the slightest difference.

Called ice, crystal, crank or “devil’s dandruff,” meth is a relatively cheap stimulant derived from common household chemicals and medications. When smoked, snorted, injected or ingested, it floods the brain with dopamine, the brain’s natural pleasure chemical. But in doing so, it also kills a person’s ability to experience pleasure when sober. Consequently, the addiction is powerful and often instant.

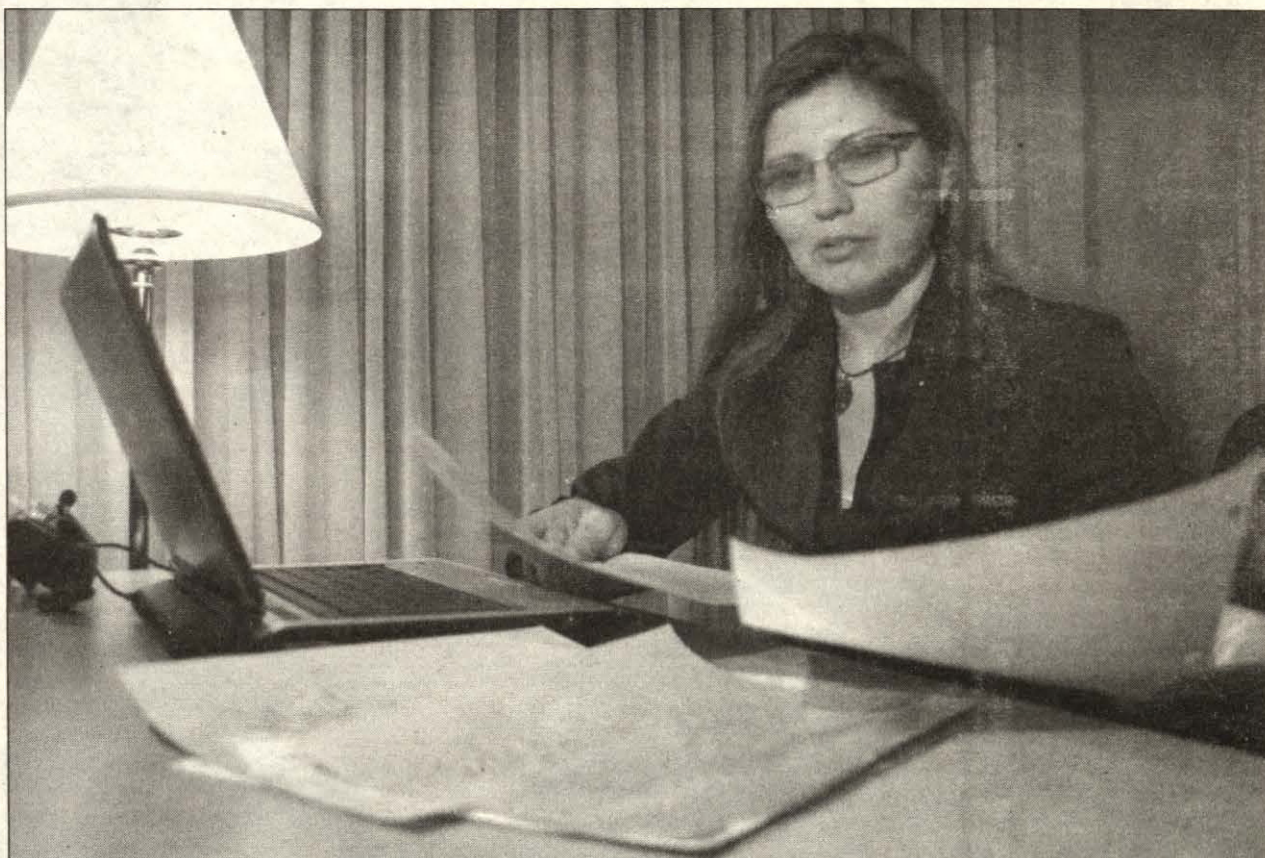
Once a common prescription drug for weight loss and lethargy, meth stimulates the nervous system, allowing a user to go without food and sleep for days. When it was criminalized in 1970, motorcycle gangs took to trafficking it from Mexico. It got the name “crank” from the crankcases of their bikes in which it was smuggled.

Now the recipe is on the Internet. Most of the chemicals are in any hardware store. You can make the drug on your kitchen stove. It smells like cat urine.

According to several addicts – they’re called “geekers” here – meth began to appear on the Crow Reservation 15 years ago. Early on, before the purchase of pseudoephedrine – an essential ingredient of the drug found in common cold medications – was restricted, meth was made in small house labs on the reservation. But now most of it is brought in from metropolitan centers, like Denver and Salt Lake City. Today, drug enforcement officials think the majority of meth in Montana is made in “superlabs” along the Mexican border.

On the reservation it’s sold by the “bindle,” \$30 for an amount equal to a packet of Sweet n’ Low. Or by the “teener,” one-sixteenth of an ounce. Or by the “eight ball,” one-eighth of an ounce and enough to get a dozen light users high.

Now some addicts on the Crow Reservation claim that more adults are on meth in their communities than are off it. There is even a native name by which to call the drug: “*baachialiche*,” or “white stuff.”



April Flores, coordinator of Meth Free Crow Nation, reviews letters from children affected by meth on the Crow Reservation. One of the letters reads: “Drugs have had a big affect on me, especially when my mom used to use drugs. It affected our family and friends. She started to get really addicted and because of that the drugs made her become someone else.”

Traffickers target the reservation on the 1st and the 15th of the month, when welfare checks arrive, and also at the times when the small quarterly per-capita checks from the tribe’s revenue are distributed.

Across America, Native Americans are twice as likely as Caucasians to use meth. The susceptibility to addiction in Indian Country is no secret to drug dealers. Some say the Sinaloan Cowboys, a

with an uncanny ability to find it. Mary started slamming meth when she was 16 years old. She’s now 26 and determined to live a life free of the drug. It’s taken her 10 years to quit.

Mary sits at her kitchen table chopping potatoes for dinner in a trailer home under the shadow of the rusting grain elevators on the outskirts of Hardin.

“The first time I did it, I knew I was going to be an addict,” she remembers. “There was no hope. I didn’t even give myself a chance.”

“I still crave it.”

Mary liked the relief she felt when she was high and the energy it gave her. One night, after shooting a hit of meth, Mary sat down and made two traditional intricate elk-tooth dresses before the sun came up.

“I was like a miracle worker,” she says. “It’s the perfect single-mother’s drug.”

But productivity aside, Mary also knows the cold hopelessness of hitting rock bottom. When she was at her worst, making money by cutting bindles of meth with Epsom salts to swindle her buyers, Mary hoped she would sell to a narcotics officer and be caught. She would slam in the church parking lot, before and after services. She would slam in her car outside the Crow Mercantile, with the windows open. She pulled her 4-year-old daughter out of Head Start to look after her younger children.

When she regained consciousness that day in Hardin, in the bathtub of a house she had >>>

“The first time I did it, I knew I was going to be an addict. There was no hope. I didn’t even give myself a chance.”

- Mary, recovering meth addict

gang that runs drugs for the Mexican Sinaloan Cartel, is bringing meth to the reservation, tapping into its easy access and scarce law enforcement for a steep profit. Others say powerful street gangs like the Mara Salvatrucha (MS 13) are pushing the drug into the reservations.

But one addict says the central issue is the drug’s presence, not its origin.

“It comes from everywhere, it comes from nowhere, I don’t know where it comes from,” he says.

Wherever it came from, Mary was one woman



Officer Herrera checks out an abandoned car on the road to Lodge Grass. Herrera is one of eight officers paid by the tribe. The remaining nine on the force are paid by the BIA, netting salaries that are often double those of the tribal officers.

broken into, Mary was vomiting blood. She was coming off a three-week binge, during which she had seared her veins with a gram of meth every four hours. She hadn't slept. She had lived on water and candy. By the end of it she had injected four and a half ounces of the drug.

Mary was fortunate to have escaped with her life. Now, sitting in her house, she cradles in her arms the month-old baby boy the doctors told her she couldn't have. Hanging from the porch outside are five pairs of blue jeans, in the different sizes of her family. In the distance, above the grain elevators, eyelashes of rain sink down to the earth from a blinking purple sky.

"I should've been dead," Mary says. "You're waiting for death to walk in and say, 'It's time to go,' and at the same time you're scared shitless."

But the Bureau of Indian Affairs, in conjunction with the Crow Tribal Council, the FBI, and the Drug Enforcement Agency, is hoping it's an officer from a new joint-agency drug task force who will walk in first to save others who are

in Mary's position.

Inscribed on the wall of BIA special agent Matthew Pryor's Billings office is an indicative statement. "Don't bring me problems," it reads, "bring me solutions." Pryor, the director of BIA law enforcement on reservations in Montana and five other states, has heard the questions about meth. Now he's looking for the answers.

Tangled jurisdictions have always been a problem in Indian Country, and last August, Pryor and the other cooperating agencies decided to pool resources to create the Crow/Northern Cheyenne Safe Trails Task Force, specifically to target meth trafficking on the two reservations. The task force is made up of six undercover agents, one from the FBI, one from the DEA, one from the Colstrip Police Department, one from the Crow Reservation and two from the Northern Cheyenne. With escalating addiction and an unprecedented influx of meth, these six agents are up to their elbows in investigations.

Since its formation, agents say the task force has knocked down the doors of 12 suspected meth

dealers on the Crow Reservation and had only one dry run. In one high-profile case in January, they arrested Jose Angel Torres, a Billings resident but not a U.S. citizen, in a sting operation in which an undercover BIA agent allegedly bought from him \$2,500 worth of meth.

But with the addiction spanning generations and engulfing communities, the task force has its hands full. The group has an operations budget of about \$100,000 but only six agents on the job. The work can be fervent.

"I would like to see us double (the number of agents) we have right now," says Pryor.

But understaffing has been a problem for reservation law enforcement for a while, he says. He realizes it's a problem for law agencies everywhere, but compares it with staffing levels off the reservation in Billings, where he lives.

"I don't think anyone in my neighborhood would sleep comfortably if they knew only four cops were on," Pryor says. "It's going to take a long time to reach parity with mainstream America."

"Our folks work way too much. They get so



committed to it that it's like trying to get a dog off something it wants - you have to stick a water hose down their throat just to get them to let go."

Letting go, however, is sometimes the only option for Clayvin Herrera, one of only 17 police officers on the Crow Reservation. One recent Sunday, he was the sole officer on duty to patrol an area nearly twice the size of Delaware.

"I don't let it get to me," he says. "If I come across something, I'll be glad. I like to be proactive. I like to stir things up."

Herrera is one of eight officers paid by the tribe at a starting wage of \$12.50 an hour. The remaining nine on the force are paid by the BIA, netting salaries that are often double those of the tribal officers. Herrera says that understaffing is not a problem unique to the new meth task force.

"We gotta go as fast as we can," he says. "That's probably our biggest complaint, is response time."

Herrera is a burly man, with a coy smile and a plastic rosary that dangles from his rearview mirror - for protection in the spiritual realm. Beside him is an AR-15 assault rifle and strapped to the roof is a shotgun, for more palpable protection in the physical.

He pulls his BIA-supplied Ford Expedition out of the Crow Agency headquarters, a small building on the edge of town that was meant to be a bank, and points it south to Lodge Grass, a community 22 miles south that he says is spiraling into crime.

"That's where I find meth," he says. "Some of the officers, they avoid this place like the plague. They won't come here alone."

"There's a lot of meth here in this town and we can't pinpoint anyone. The only way we find it here is we get lucky."

When he coasts into town, he smirks as cars suddenly start obeying traffic rules. He knows the names and the histories of most of the people walking down the road. Several are his relatives. He says it's been awkward when he's had to arrest them.

Herrera drives down the dusty roads, past disintegrating trailer houses and rust-riddled pickups resting on blocks. Groups of teenagers stand in their yards, staring at him icily. A dog darts out into the road and barks at the tires of his car. Another lies dead on the edge of the pavement, paws up in rigor mortis and covered in flies.

Herrera removes his seatbelt.

"They won't all fight ya," he says, tipping his chin coolly at the teens. "These kids like to run. In Lodge Grass you gotta be ready to run."

He drives by a tin shack that says "Tire Repair Shop" on one side and "Fuck it" on another. It is bolted shut. Farther on is a deserted lot where children play atop a pile of dirt next to a frilly umbrella and a plastic Santa figurine lying on its side.

Suddenly Herrera spots a teen pocketing an illegal bottle of booze. He pulls over the car and jumps out. The kid bolts. Herrera chases, closes in and tackles him in a field behind the houses.

Breathless, he brings the bottle - vodka, Fleishmann's - and a handcuffed Wahmbli



Six-year-old Mae listens to music as she plays with her dolls on the porch of her home. Mae, whose mother, Mary, is a former meth addict, was taken out of Head Start at age 4 to look after her siblings.

Nomee, 18, back to the squad car. Nomee has seen the back seat of it several times before. What does he think about the police on the reservation?

"They're shitty, man. Look what they just did to me."

Crow Police Chief Ed Eastman, meanwhile, can only wish there were more of those officers.

"The reservation is so huge, it's a logistical nightmare," he says, sitting in a darkened office listen-

"You can't squeeze water from a turnip," he says. Nor should you have to, says Crow Tribal Chairman Carl Venne. The BIA is simply not putting forward enough resources to stop a problem as big as meth, he says. Venne knows this from a personal experience. His only son was killed four years ago in a meth-related car accident.

"If I had to grade them one through 10, they'd probably be a one," Venne says from a couch in his office, which used to be the delivery room of a hospital and still smells of injections and disinfectant.

"They don't do a damned thing as far as I'm concerned," he says. "The BIA has managed everything and I'm telling you the BIA can't manage nothin'. They've managed this tribe for the past 120 years and what have

they done? They've about given it all away."

Venne mentions tiredly that Congress recently allotted \$40 million to protect the wild mustangs of the Pryor Mountain range just west of the southern section of the reservation.

"It's totally senseless," he says. "We don't ride 'em and we don't eat 'em. So what's wrong in this country? They forgot their obligation. The U.S. government forgot their obligation."

Venne says the meth epidemic that has struck his reservation over the past years is really only a symptom of greater maladies. The treaty in which the Crow exchanged the resources of the Powder River Basin for education and health care has been forgotten, he says. Indian health care struggles to operate on a paltry budget. Every >>>

One recent Sunday, he was the sole officer on duty to patrol an area nearly twice the size of Delaware.

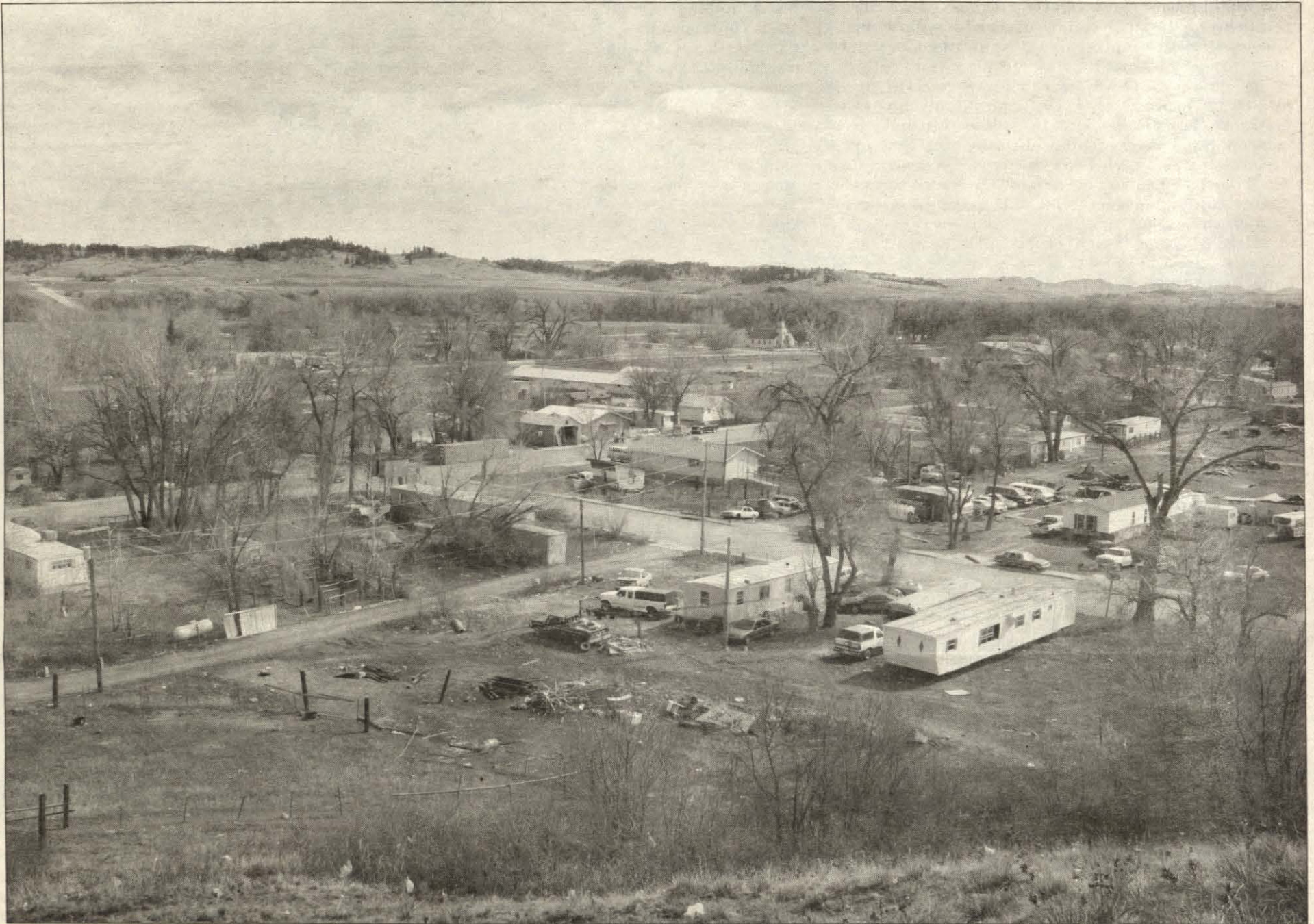
ing to Pipestone hand drum music on his laptop because it soothes him.

Eastman calculates that he needs at least 26 officers - nine more than he has - before he can think about calling his force sufficient. He has asked for more money and men from the BIA but has heard little in response.

"We can request all we want. Whether we get it or not is another question," he says.

Eastman says his force is left to scrape for resources the government is reluctant to dole out. The BIA is not entirely to blame, he says. Congress has to approve the money and if it's not there, it's just not there.

Eastman cracks his knuckles, puts his fingers to his eyes, and then removes them.



Lodge Grass is spiraling into crime, say law officers on the Crow Reservation. With a reservation unemployment rate of 47 percent and 60 percent of the population living below the poverty line, addicts on the reservation say a sense of hopelessness drives them to the drug.

school on the reservation failed the guidelines for the No Child Left Behind Act. Almost half of the Crow population is unemployed. Nearly 60 percent live below the poverty line. Basic infrastructure like clean water, sewers and houses are nonexistent or in disrepair.

"Do I need another Kevin Costner to do another 'Dances With Wolves' to bring up Indian problems in this country?" Venne asks, leaning forward in his seat, exasperation spreading across his face.

"If this country had a 47 percent unemployment rate, there'd be riots in the streets of Los Angeles, New York, Washington, everywhere.

"We're probably the forgotten race in the United States."

Lenny, who like other addicts, asked that his real name not be used, knows a little about the problems of Indian Country himself. He's a 30-year-old father of eight and is struggling through one of the

greatest trials he's come up against: a meth addiction that he's unable to kick.

With hands plunged deep into a jacket zipped to his chin, despite the sunny weather, he clenches his teeth, shuffles his feet and looks around.

"For me, fellas, it'll be there forever," he says of meth. "It'll be right there walking next to me every day of my life. I know this."

You can't see much of Lenny's face for his camouflage hat and dark sunglasses. He sports a skeletal moustache and goatee. His mother will say that she enjoys the softness of his eyes, but is now sometimes frightened to talk to him.

"I know what I don't ask," she says, after the service in the cool chapel of First Crow Baptist in Lodge Grass. "Sometimes I'm afraid to call and just say, 'I love you.'"

Soft or not, Lenny now hides his eyes behind a pair of Oakleys. He fidgets when he speaks. His

trust for the world is a thin currency, devalued more each day by the paranoia induced by the drug he can't shake.

Lenny points to a lack of opportunities and the reservation's stifling economic conditions for setting many Crow up for lives of addiction.

"In this little cheese box we live in, make no mistake, people don't live here, people *survive* here," he says. "Where I'm from, a person's in trouble the moment they step out the door. And it's all up to you how much trouble to get into that day."

Young people should be worried about their grades, he says, and how to make the most of their education at the time that their lives open up before them. The realities on the reservation are much different.

"There's too many kids where I'm from thinking more along the lines of this: 'How can I make a dollar out of 15 cents' in order to put a little bit of

food on his table or to get diapers for his kid, you know what I mean?" he asks. "Why is that?"

Lenny knows he steals a little more of his son's self-confidence every time he walks out the door to do drugs. He knows what he has to do. But he still doesn't use the word "quit." He can't yet. He tries to stay clean, but when he comes down, he comes down hard. He pumps his fist into his palm when he talks about the rush of the moment right before the hit: When he's in that state, he has no limits.

"I just ride it till the wheels come off, smoke it till it's gone," he says. He left his house two years ago "for the streets" and didn't see his children from Thanksgiving until Easter.

Suddenly there are tears behind Lenny's shades and he stands up and walks to the window.

"I read somewhere that you can be anything you want in this life, but you can only be that once," he says. "Well I used some of mine up, fellas, but the story's not over yet. I'm going to turn the page and start a new chapter in my life and call it the comeback."

Tucked away in a cinderblock room at the Crow Agency basketball court, Anna, a meth addict for 14 years, is quietly plotting a renewal of her own. As sounds of squeaking sneakers and the booming announcer of the first Meth Free Crow Basketball Classic slip in through the cracks of the door, Anna, 35, visibly pines for the drug as she talks about it - even though it takes three-quarters of her monthly welfare check, has killed four children in her womb and continues to drain the ebbing trust of her 17-year-old son:

"When you take that first hit, oh it tastes good," she says, looking vacantly at her 5-year-old daughter playing at her feet. "It makes you want to gag and throw up, but that's a good thing... When it hits me ... the back of my head tingles, and I feel real good, like relaxed and no worries."

Anna smokes \$300 of meth a month from small glass tubes called "lokers," or by tapping off the metal end of a light bulb and using it as a pipe. She has high blood pressure. One of her teeth is missing and the others are rotten.

Sometimes she spends so much on her addiction that there is not enough to eat. She lets her children eat first and tries to make up the rest with trips to the food bank. She's deathly afraid of the police.

"I don't want my kids taken away from me," Anna says, looking up from her corduroy shoes. "I don't want to go to jail."

Anna is crying now, and her daughter looks up to her face, frightened.

"I don't want it any more," Anna spits out. "I hate it, I hate this life, I hate it, I hate - I don't know what else to say, I just hate it."

Anna can't change her own light bulbs these days, for fear of the craving they bring. The sight of needles gives her the same longing. She has no mirrors in her house.

"You're scared to look at yourself," she says. "There's no one in those eyes. There's no one looking back at you."

If she ever comes clean completely, Anna wants to be an accountant and a counselor. She wants to

guide others away from a drug she calls "nothing but evil." Easter is coming, and she wants to get her kids baskets and have their pictures taken. She's starting to take down the blankets from her windows, and open her door to let in the clean slate of spring.

But cutting away a reputation is easier said than done in a tightly knit community like the Crow. And as soon as people start talking about her, Anna just wants to go get high again.

"I hate that," she says, in tears again, "when they do that, when they say you shouldn't do it and they don't know. They don't know where you're coming from. They don't."

April Flores is one person who does know, however. The coordinator of a group called the Meth Free Crow Nation, Flores has seen the dark corners of addiction and walked out of them with new purpose. Now Flores is trying to set right her eight years on the drug by educating the community in schools and open meetings about the damage meth causes. She goes to Washington, D.C., to lobby Congress and meet with the Office of National Drug Control Policy.

"We haven't wiped out anything yet, just put the awareness out there," she says. "We've only touched the tip of the iceberg."

Flores had to leave her husband after trying for 14 years to help him quit his addiction.

"This drug is so seductive," she says. "It wasn't me competing with another woman. It was me competing with something with no heart and no soul."

Now on the other side of the fence, Flores lives, speaks and works meth. Everywhere she goes she encourages new people, young and old, to get involved in the fight against meth on the reservation.

The challenges are persistent and plentiful. Is the law enforcement on the reservation sufficient?

"Heck no," Flores says. "Even without meth they don't have enough men to police our reservation."

And the drug is indiscriminate. Old and young, rich and poor it latches onto people tenaciously. Crow children are growing up with meth as an unshakable daily reality.

"They go to bed, there's drugs on the coffee table,



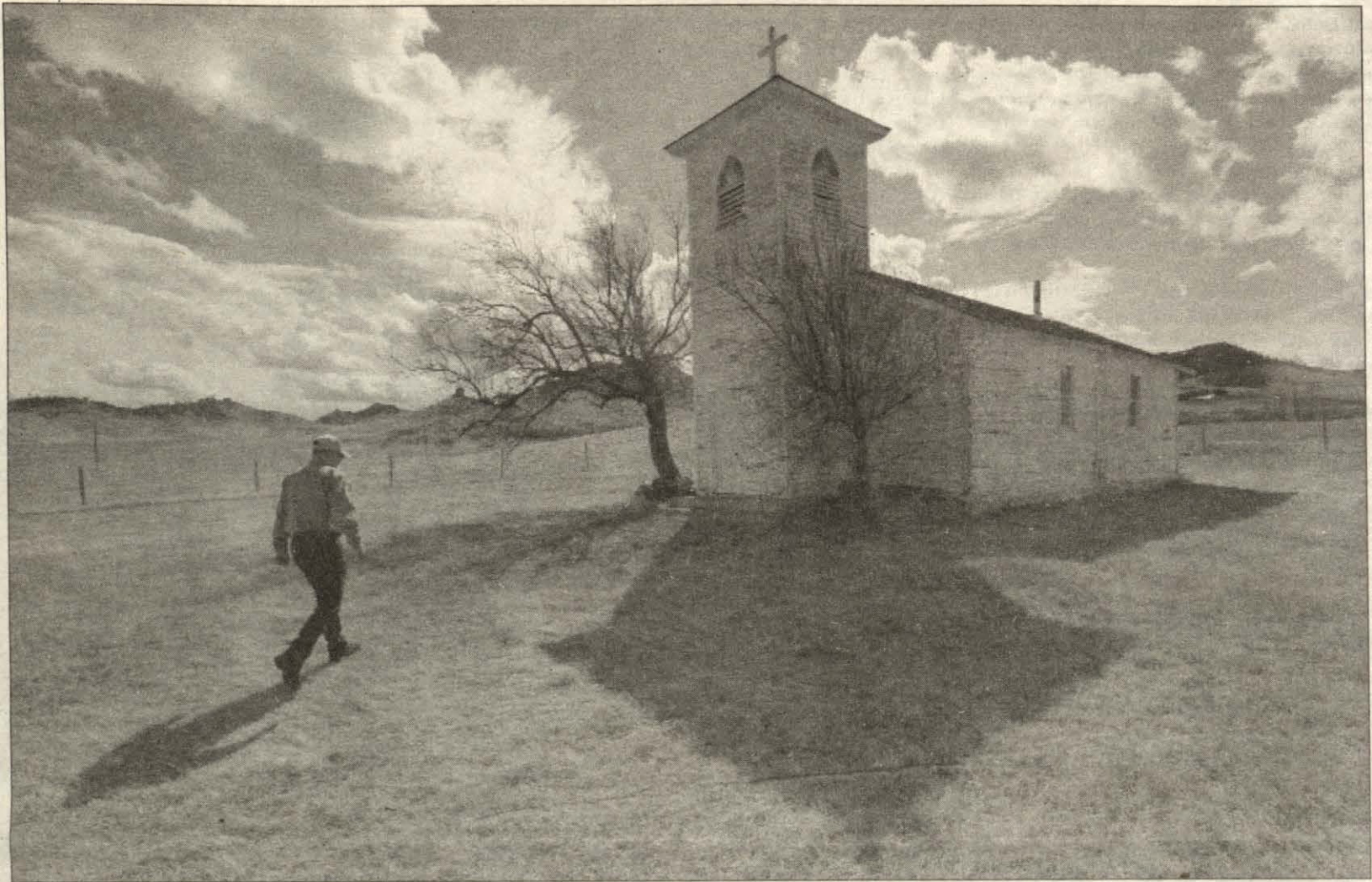
"Anna," a meth addict for 14 years, carries her sleeping daughter at the end of the first Meth Free Crow Basketball Classic. Anna says that after years of constant meth use, she now uses about once a month. Her biggest reason for wanting to quit, she says, is the fear of having her daughter taken away from her.

they wake up, there's drugs on the coffee table," Flores says.

One of these kids was Lenny's daughter Randa. On a gusty afternoon in the Crow Agency park she quietly tells her story beneath the bony limbs of the cottonwoods and a denim-blue sky. Her smile is shy, but her attitude capable and resolute.

It should be. Now 13, Randa's been looking after her siblings since she was 5, when her parents were too strung out on meth to take care of them. Randa is now part of the Meth Free Crow Youth, and talks to her classmates and at other schools about growing up with meth as her parent.

"I tell them not to do it," she says softly, as rain-laden clouds darken behind her. "You do it, and there's nowhere but down to go." ▲ ▲ ▲



Landless No Longer

After more than a century, the Little Shell Indians are hoping they'll finally have a home

J Story by Timothy Ratté

Jay Jarvey stands at the base of a scrubby, leafless tree, among the wood and tarpaper of the collapsed remains of the shack his grandfather built decades ago. He picks up a board. It's eroded grain is dry, pocked by the elements, and weather-bleached gray. On it are clinging faded remnants of paint that might have been red once.

"This is what most people used to build their houses up here," he says, his gaze scanning the windy, cold and colorless landscape of Hill 57 on the outskirts of Great Falls. "They're the boards from old railroad boxcars."

Jarvey lived on Hill 57, named for the sign in whitewashed rocks that advertised Heinz sauces, until he graduated from high school in 1966. He says he was the first Hill 57 Indian to graduate from high school.

Photography by Tyler Wilson

"Up until the mid-'50s, there was no electricity at all and I never did have running water when I lived up here," he says. "We had to dig toilet holes, chop wood and the houses were pretty ramshackle."

Jarvey talks about the Hill in a rapid stream-of-consciousness flow — his sentences have few pauses when he speaks, as if his words won't catch up to all the memories if he hesitates too long.

"It was a tough son of a bitch growing up here," he says. "In a lot of ways, living up here was like living in the 19th century."

But still, tough as it was, Jarvey becomes wistful and nostalgic when he talks about the home his grandfather built out of boxcar wood, and the dozens of other Little Shell Chippewa Indian families that squatted on the Hill, and the life they

made there.

He is still drawn to the place where he grew up, the past that he remembers on the land that never belonged to him — or his people.

The non-federally recognized Little Shell band of Chippewa Indians were landless for more than a century, until April 5, when Gov. Brian Schweitzer signed a bill that grants the Little Shell a 10-year lease on several acres of Fish, Wildlife and Parks land, as well as a building, on the Morony Dam site. The property is on the Missouri River, 15 miles northeast of Great Falls, where a large concentration of the Little Shell's widely scattered population lives.

For more than 20 years the Little Shell have tried to persuade the Bureau of Indian Affairs to grant them formal recognition as a tribe and to secure

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James Parker Shield, above, would like to see historic sites like St. Peter's Mission, outside of Cascade, acknowledged in a way that reflects their importance to Little Shell history. "We need to preserve our cultural remnants while there are still cultural remnants left to preserve," Shield says.



the federal benefits that go with official recognition. It's a process that has seemed close to closure many times, yet they still await a formal ruling. Securing the Morony lease is a rare success.

The chief architect of the plan to acquire the Morony property is tribal member James Parker Shield.

"I discovered Morony four years ago when I was just driving around," Shield says. "I walked around it one summer day, saw that the building was abandoned, and there were tall weeds everywhere, and I thought, it's a shame no one is putting this to use." Immediately, he began thinking about how he could convince the state of Montana to let the Little Shell use the land.

The site's somewhat austere brick building, constructed in the 1930s to house workers of the 48-megawatt dam, is sturdy, but in need of some repair. One corner of the front porch is sagging. There's graffiti. The property features the trailhead to Sacagawea Springs, where Meriwether Lewis fetched the sulphur-infused water that healed the ailing Sacagawea. The trail requires routine maintenance. The park has a noxious weed problem.

"Morony is the poor stepchild of the parks system," Shield says. "We want to adopt it and give it a good Indian home."

Having a home is a step closer to helping the Little Shell achieve the federally recognized status it has been seeking for 115 years.

In 1984, the band petitioned the Bureau of Indian Affairs Office of Federal Acknowledgments for recognition. In 2000, the Department of the Interior signed an order that granted preliminary recognition of the tribe by the Bureau of Indian Affairs, following a period for public comment.

"Everybody was celebrating that it was finally done, finally accomplished, but nobody paid attention to the rest of the language of that regulation that said, during that six-month public comment period, the Department of Interior can request any additional information on any of the criteria they so desired — which they did," Shield says.

The DOI asked for more research on tribal enrollment, genealogy and address information about tribal members. "They were constantly throwing more stuff at us," says John Gilbert, who was tribal chairman at the time. "We'd answer one question and they would throw another one at us. It was just a vicious cycle."

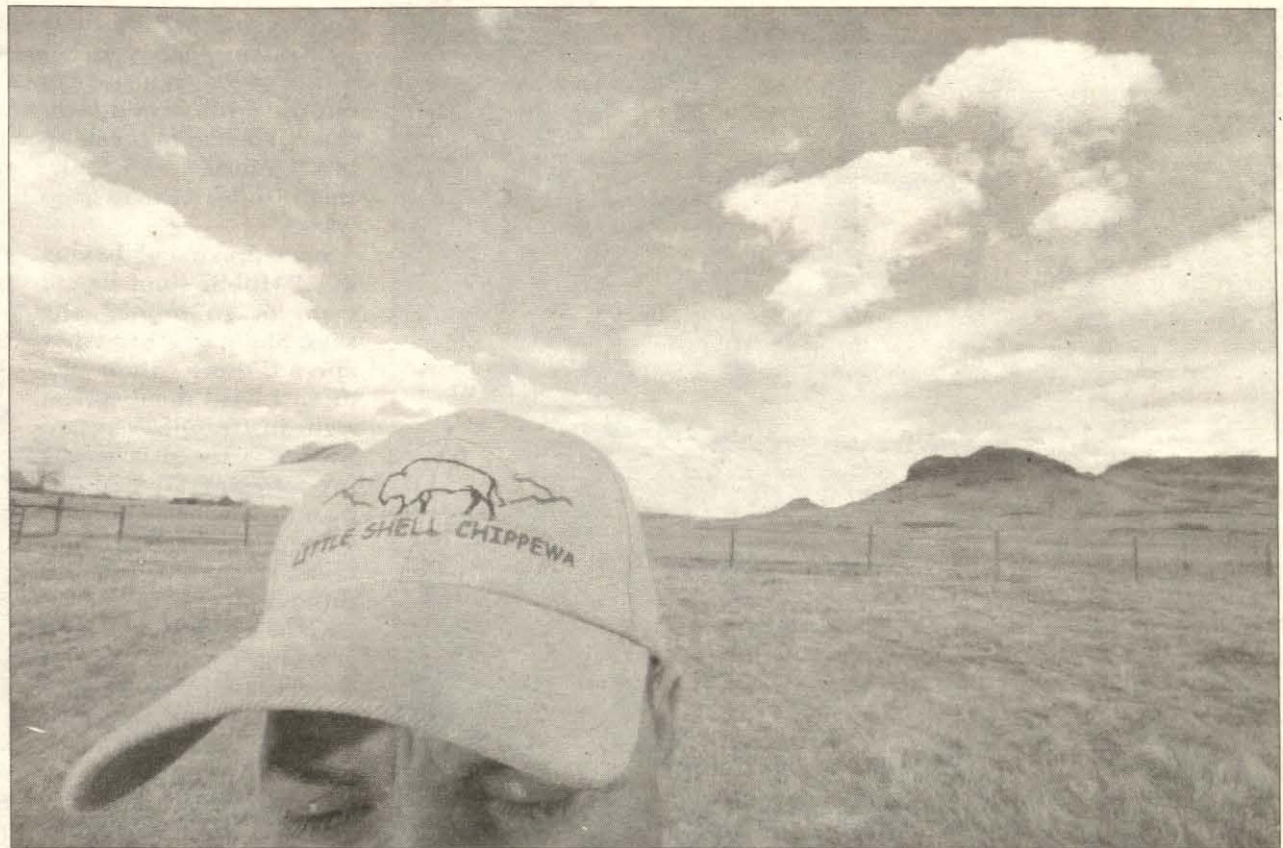
"Stall tactics is all it was," he says.

Last year, the Native American Rights Fund, which was funding the tribe's research, said they could no longer underwrite the tribe's efforts.

Shield, undaunted, contacted attorneys in Washington, D.C., about drafting language for a bill seeking recognition through Congress, rather than the administrative path. In March, Montana's Congressmen — Sens. Max Baucus and Jon Tester and Rep. Denny Rehberg — introduced the legislation, where it sits, waiting for the hearings that Shield anticipates will meet some resistance from the Department of the Interior and the BIA.

"I expect they will testify against the bill," Shield says. "The BIA doesn't like it when you try to go around them."

Shield currently holds no official position in the Little Shell tribe, but he is one of its fiercest advo-



James Parker Shield, a member of the Little Shell Tribe of the Chippewa, has used innovative means in attempts to acquire land for his tribe, which has been landless for more than a century. "What I want is a place they can maybe point to and say, 'That's ours; that's where our little 'rez' is at,' even if it's a little two-acre piece of land."

cates. Unofficially, he's the tribe's ambassador — the mayor. His engagement in local business and politics, and his dexterity in navigating "the white mans' world," are his unofficial keys to the city.

He's used those keys to open a few doors for the tribe.

When Gov. Schweitzer took office, one of his first acts was to meet with the state's tribal leaders.

"I told our council, other governors have done this too," Shield says, "and it's usually a dog and pony show."

But Anna Whiting Sorrell, the governor's family policy adviser, says that she knew when Schweitzer was inaugurated that he was going to be different.

She urged Shield to draft a wish list for the governor. He made a list of 20 items.

Sorrell asked Shield to pare his requests to a more realistic three. "Let's prioritize," she says. "I know that the well has been dry a long time, but we can't flood it right away."

One, two, three, Sorrell ticks off the things that came out of those negotiations: a formal declaration of state recognition for the Little Shell, the first ever mention of the tribe on the Montana state map, and the state's help in completing the Little Shell tribal history.

Montana's Little Shell trace back to Chippewa tribes historically located around the Great Lakes regions in the United States and Canada. Some bands migrated to North Dakota.

The Chippewa traded with French, Scottish or Irish fur traders, many of whom married Chippewa women. Their descendants came to be called "Métis," French for "half-blood."

Many Chippewa and Métis settled in the Turtle Mountain region of what is now North Dakota. Chief Little Shell and Chief Red Bear were two principal chiefs who in 1863 signed a treaty establishing a 10 million-acre reservation. After white homesteaders continued to establish settlements, the government moved in 1892 to renegotiate the treaty. The new agreement called for the tribe to sell nearly 10 million acres for about a million dollars, in what came to be known as the "10 cent treaty." Chief Thomas Little Shell, son of the signatory of the 1863 treaty, was away hunting with 112 families and a Pembina Chippewa chief signed the new treaty in his absence.

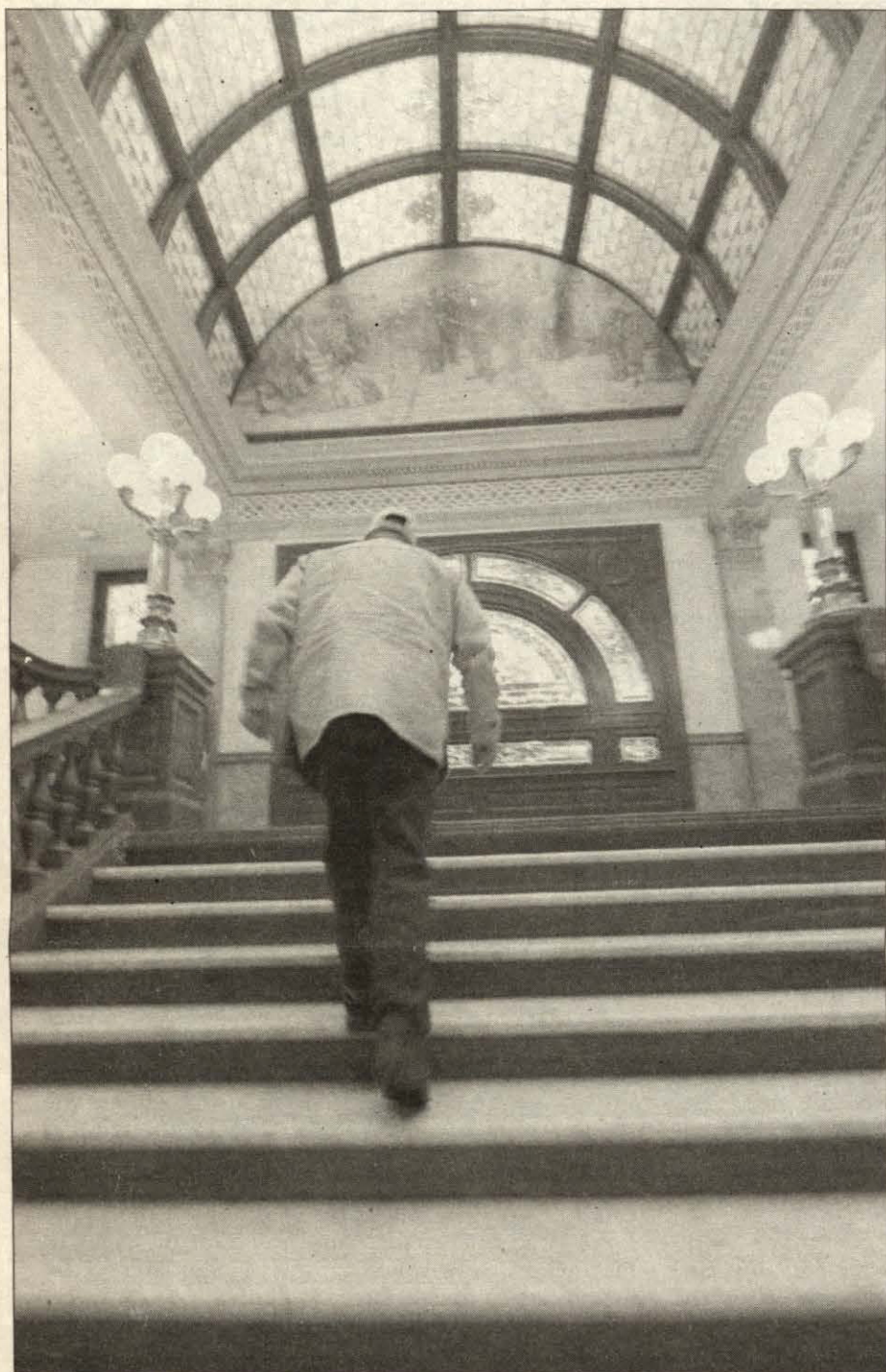
Russell Boham, Little Shell tribal executive officer and chairman of the tribe's cultural committee, says a government agent tried to convince Little Shell to sign, appealing to his respect for elders.

"He made a statement, something like, 'The winds of 50 winters have blown over my head and turned my hair white,'" Boham says, "the point being to Little Shell was that, 'I'm not a young man, I have some wisdom, and I'm advising you to take this deal.'"

"Little Shell said, 'Well, the winds of 50 winters have blown over my head too, and they have turned my hair white too — but they haven't blown my brains out.'"

Little Shell refused to sign the treaty.

Chief Little Shell and his people were excluded from the tribal rolls and the reservation. They wandered, many settling on Montana's Hi-Line and Front Range communities. The Little Shell who wound up in the Great Falls region first took refuge in a tent colony along the banks of the Missouri River, but the town eventually >>>



Parker Shield has taken giant steps toward helping his tribe achieve federal recognition. He visits the Montana State Capitol in Helena on a regular basis and makes efforts to discuss the issues with state representatives and senators.

burned down the colony, scattering the Indians among several poor communities, including the notorious Hill 57.

Cousins Rose Sides and Pablo Komiotis have a yellowed newspaper photo from 1957 of Sides' family standing outside the house her grandfather built on Hill 57, where she grew up.

"Our room was small and had nothing but beds in it," Sides says. "I didn't even know what a sheet was. We used a blanket and a lot of old clothes to lay over that to keep warm at night. We had beds, beds, beds all over. And we had a big pot-bellied stove right in the middle of the room and Grandpa would get up all hours of the night keeping that going, keeping us warm."

It was boxcar wood, Komiotis says. "It was pretty

springy and hard to chop. And then when you ran out of wood, you used to cut up old tires and burn them. We had to break up old batteries and burn them in the stove to keep warm."

Sides dreams of buying all of Hill 57 some day. "I want to go home," she says. She wants her ashes spread there when she dies. "I want them spread right in Grandpa's potato garden. I loved it; it was my freedom. We had our own little world up there. When you came into town, everything was so different."

Komiotis and Sides recall growing up together on the Hill — how people used to go to the town dump and get rags to cut up and sell to garages in town for shop rags, and how the only fruit Sides ever had in her diet was fruit she found at the dump, cast-off produce from local grocers. "It was a bit ripe, but I ate it," she says.

Komiotis remembers the nurse, Miss Moran, who drove a green car. "Whenever we would see that car," he says, "we knew we were going to get shots or something, so all us kids used to run and hide." But Miss Moran would keep coming back until all the children got their shots.

A train used to run along the bottom of the Hill. Sides didn't know where the train went, or came from, but the brakemen used to throw candy as they passed. And the kids would hear the train coming from far away, and rush to put nails on the tracks so the trains' wheels would crush them to make tiny swords.

All the Hill 57 kids went to the Franklin School, which no longer exists.

The white kids were separated from the Indian kids at recess. "Mostly the kids didn't have problems with each other," Sides says. "It was the parents, who thought the Indian kids would give their kids 'cooties' or that the Indian kids would teach their kids bad things. We weren't allowed to be outside with them. When I went there, there was a red side of the building and a white side of the building. I can remember I had a friend who used to peek around the white side and cry because she

wanted to play with me, but she had to stay on her side."

Komiotis got off the Hill in September 1954. "My dad got in the Air Force," he says. "He sent for us and we went to Germany. We escaped the Hill." He never regretted his time on the Hill.

To the Hill 57 Indians, the memories are indelible. But now, the numbers on the hillside have been replaced by the letters G and F, and many people in Great Falls have no idea what Hill 57 was.

Shield says few people know about the unmarked landmarks of history or culture of the Little Shell.

"We need to overcome our invisibility," he says. "That's the struggle we have — there's nothing tangible to look at."

Shield knew he wanted to be two things when he grew up: a history teacher and a basketball coach. He has always played basketball, but not always well.

"I was the guy that was never any good — the guy that they picked last for the team; I was the skinny kid that didn't play well," Shield says. "But I was also the guy that was out there at 9:30 at night, in the dead of cold winter, with an area shoveled off the asphalt court outside and the gloves with the tips of the fingers cut off — I was bound and determined to become a better player."

He plays pickup games at the Great Falls Community Recreation Center several times a week, when his schedule allows it. At 5 feet 8 inches, he does not exactly command the court like some of the guys he plays with.

No, Shield plays basketball like a Jack Russell Terrier — all heart and relentless tenacity. James Parker Shield has oodles of tenacity.

"James has done more for this tribe than anybody I know and I been with the tribe since 1937," says Henry Anderson, chair of the Helena Indian Alliance, and former Little Shell cultural committee chairman. "He goes out and gets it done and gets it done fast. A lot of people don't like him. I mean, his wife don't even like him," he jokes.

But Shield's tenacity would be directionless without his vision. Shield sees things that aren't there. Yet. When he looks at the Morony building, he sees new tribal offices. The tribe's current headquarters are in the back of a mall in Great Falls. When it rains heavily the roof leaks and empty wastepaper baskets are set out to catch the water. He envisions a Little Shell cultural interpretive center. When he looks at a large, weed-infested open patch of land on the Morony property, he sees an arbor for powwows. He looks around and imagines a place for a cultural immersion camp for Little Shell children.

Shield knows that many of his visions may never come to fruition, but this does not stop him from constantly scribbling his ideas — his "pet projects" — onto yellow notebooks as he drives. Morony was one of those "pet projects."

He refuses to believe that his dreams for the tribe can be scuttled by the mere fact that the tribe is nearly penniless. "Money is out there," he says. "There are all kinds of grants."

Shield doesn't hurry, but he doesn't waste time. He puts his over-easy eggs on top of his pancakes,



Jay Jarvey, standing next to where he grew up with his grandparents on Hill 57 near Great Falls, recalls the difficulties of living there with what little his family had. The oldest of 11 siblings, Jarvey felt that he had to set an example. He says he was the first person on Hill 57 to graduate from high school, in 1966. School had its own hardships, Jarvey says, but he didn't let hardship get him down too much. "I just had fun," he says. "I didn't go hide in a corner."

then adds syrup and salt and pepper and eats the whole mess together, as if eating them on separate plates is too inefficient. He doesn't like inertia. He speeds up slightly for yellow traffic lights. He always drives five miles over the speed limit.

He is adept at politicking; his involvement with local Republican Party politics has made him essential connections. "I was also on the state executive board for the Republican Party, so I know legislators from around the state, which helps in many situations," Shield says.

Indeed, Shield navigates the Statehouse in Helena like a pro. Senators and representatives, pages, secretaries, lobbyists say hello — if Shield passes 12 people in the capitol hallways, eight will know him.

State Rep. Shannon Augare (D-Browning) introduced the Morony bill. "I think Morony is a good step," he says. "I think it's a step that should have

been taken a long time ago, and it really shows the government-to-government relationship we've all been talking about for years."

State Sen. Joe Tropila (D-Great Falls), who lived for years near Hill 57, helped shepherd the

sweat lodge out there, they can have their ceremonies out there, they can put a tepee ring or anything they wanted to."

Shield remains concerned about the tribe's past, and its future. But mostly, he is troubled by the tribe's legacy.

Because they lack federal recognition, services like healthcare, housing, federally assisted education or child welfare don't exist for them. But they also feel the need for the preservation of their own culture, which is slipping away, as the few elders that speak the old languages are dying off, and the lack of a land base means tribal members scatter themselves farther from their history.

"That's the disadvantage to being immigrants," Shield says. "We're latecomers; we can't turn around and tell you any legends. Our sacred sites would be our graveyards." ▲ ▲ ▲

*"I loved it; it was my freedom.
We had our own little world
up there."*

- Rose Sides, former Hill 57 resident

Morony bill through the Senate.

"Morony might help them gain recognition. I hope it does," he says. "At the very least with the tribe's presence out there, they can have their



The Journey Home

A family's plan to buy a home becomes tangled in red tape

H Story by Mary Hudetz

Photography by Devin Wagner

Hours before daybreak on the Northern Cheyenne Reservation, Joe Grinsell ends his graveyard shift in Colstrip and starts his 40-mile drive home.

At 4:30 a.m., he doesn't care much for the commute, which is about four times longer than it was two and a half years ago. But he doesn't speak of trading the home or horses he owns outside of Busby for the trailer his family of six once rented for \$500 a month in Colstrip either.

"I think this is better, you know, just the freedom," he says on an evening when he's relieved of the stress of a late-night shift. "Plus this is ours; in Colstrip it wasn't ours."

For five years, the Grinsells lived in Colstrip, 20 miles north of the reservation, where Joe, 34, works as a heavy equipment operator for Western Energy. After the first three years, he and his wife, Brenda, started looking for a house in the country despite the likelihood that the move could more than quadruple the time for his commute.

"I wanted a better life for the kids," says Brenda. "I felt like I was boxed in at Colstrip. Like it was a little square."

Brenda has a long, red braid that falls behind her back and her soft-spoken voice, which sometimes yields to others, does little to suggest that in her youth she was a tomboy, as her mom, Vonda Limpy, remembers. Once, she was able to ride a horse, not yet broken and with no one watching, only to walk into her grandparents' house and tell her mom, "There's nothing wrong with that horse; didn't buck me off."

The family looked south from Colstrip to the reservation for the space and outdoors Brenda enjoyed while growing up at her grandparents' ranch outside Ashland. Brenda, 42, has lived on the reservation or near its borders since she was 11 and spent her earlier childhood summers and Christmases in the area, too.

"It's always felt like home," she says.

But on a reservation with a housing shortage

severe enough to leave more than 200 people on a waiting list to either rent or own a home, finding a house took the family more than a year, a year in which they moved three times.

And once they found a place it was another year before they had ownership because it routinely takes the Bureau of Indian Affairs at least that long to process the required paperwork.

On a reservation where 99 percent of the land is held in trust by the U.S. government for the benefit of either the Northern Cheyenne tribe or its members, the BIA must oversee virtually every land transaction, including home mortgages. Nationwide, the BIA has oversight responsibilities on 55.7 million acres of Indian land.

While the Grinsells waited, they rented the home they were waiting to buy but none of the payments went toward the purchase of the home.

Maria Valandra, vice president for community development at First Interstate Bank in Billings, which is a lender on the Northern Cheyenne Reservation, says two months is the fastest return from the BIA that she's seen logged. Some housing applications that enter the BIA have taken as long as five years to process, she says.

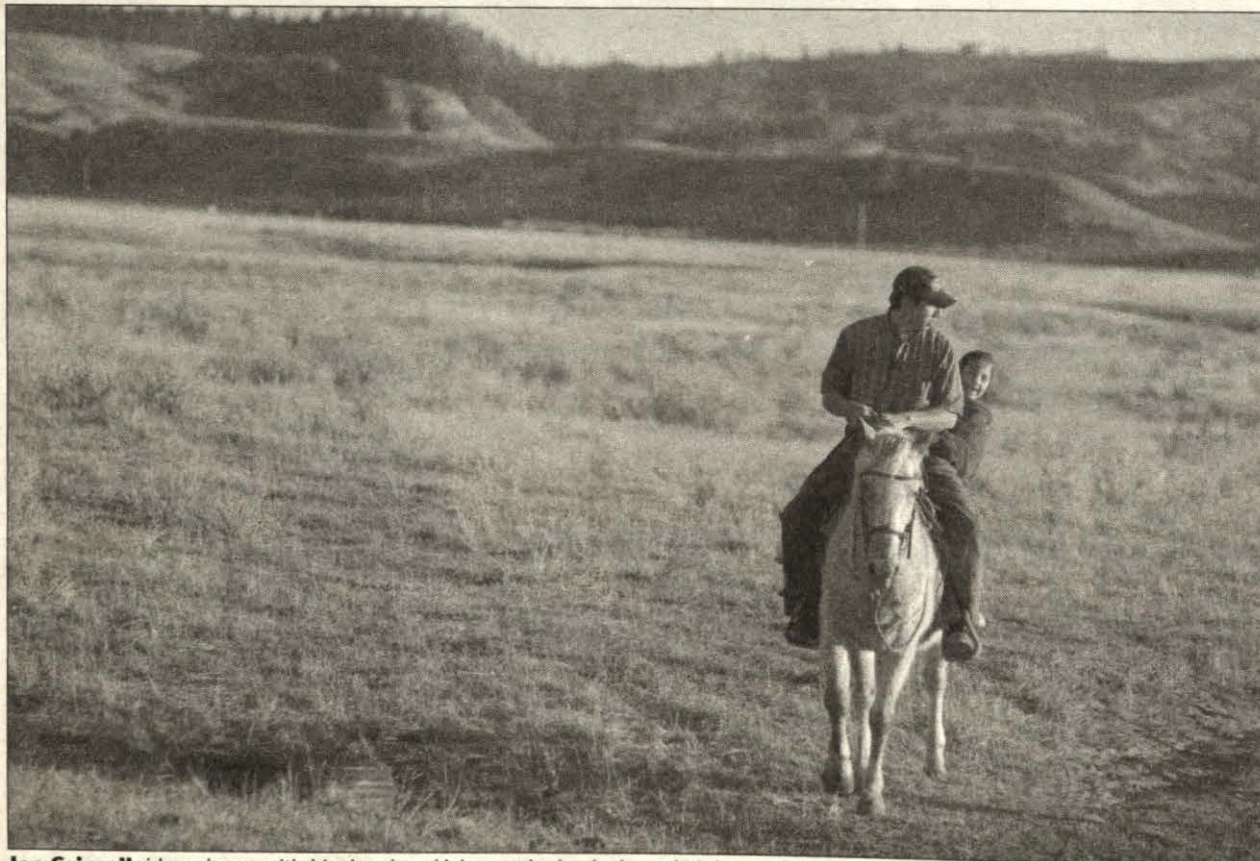
"Here in Billings or in Missoula, you can close the loan and be in a house in 30 to 60 days," Valandra says.

The Grinsells' wait was remarkably shorter than some but as much as 11 times longer than it usually takes if a home is purchased under similar circumstances off the reservation.

"On the part that didn't have anything to do on the reservation, it went a lot faster," Brenda Grinsell says. "But through the BIA, that's when it took a long time."

In 2004, the BIA, U.S. Department of Housing and Urban Development, and the U.S. Department of Agriculture identified the need for a more streamlined approval process for reservation home buyers and an agreement surfaced: Certifying status reports on land titles should take no longer than 30 days to complete.

But the BIA's Land, Titles and Records Office in Billings, which certifies the reports, frequently does not meet the 30-day deadline, says Vianna Stewart, the manager for this office in the Rocky Mountain region. She stepped into the position in October and has discussed faster turnaround times with her staff. But with an office that is understaffed by eight workers, meeting the deadlines won't be easy.



Joe Grinsell rides a horse with his daughter Haley on the land where their house is located, near Busby. Joe says one of the reasons they chose to live out of town is the opportunity it offers to saddle a horse and ride out into the hills for an entire day.



Peach Grinsell gets her scooter to play in the yard outside their house. The Grinsell family bought the home in August 2004 after a year's wait for the application to be approved at several offices of the BIA.

"Seeing it and applying it are two different things," Stewart says.

Meanwhile, finding a solution that both fulfills the BIA's role as trust holders and quickens the bureau's involvement in the reservation home buying process hangs in the balance.

"The most complicated realty system in the U.S. is Indian title," says Clark Madison, the realty officer for the BIA in the Rocky Mountain region.

To emphasize his point, he walks to a poster-size diagram that depicts one tract of land with some 80 owners on it, and explains that the fractionated piece of land is one of many found on the state's reservations.

"Lawyers can't do what we do," he says.

As his words flow at a rapid pace, he says that homesite leases are a high priority at the bureau but a set of laws, many dictated by Congress, must be followed when managing Indian trust land.

"We don't get to cut any corners on that," Madison says.

Like an assembly line of sorts, applications move

through several government agencies. The BIA, however, is where present and prospective home buyers say the process slows to a crawl.

The first government stop for the Grinsells was the Northern Cheyenne Tribal Housing Authority in Lame Deer to get the title for the house.

Requesting a certified report on the status of the land's title at the BIA agency in Lame Deer came next. At this point, the reservation's local BIA realty office reviewed the application before routing the Grinsells' request to the federal building in downtown Billings, 104 miles away. In the meantime, another set of paperwork was sent to the tribal government's land committee for approval because the house sits on a piece of tribal land.

While inside the BIA's regional offices in Billings, an examiner in the Land Titles and Records Office made additional evaluations before returning the newly certified document back to Lame Deer for further review and approval.

If any department faces a backlog while applications are circulating, the whole process comes to a

standstill with waits lasting a month, six months or years.

"It would sit there when sometimes all it needed was a signature," Joe says in a tone that reveals his frustration over his family's one-year wait. "It was like, 'Can you get this done? Can you get this done? Can you do this?'"

While he worked day shifts in Colstrip one week and nights the next, Brenda tried to track their application through the BIA, making frequent phone calls to the Lame Deer offices and trips to the bank, where she updated a loan application that expired three times during the wait.

"She just about wore herself out," her mother says.

Homeownership came at the end of a long road for the Grinsells. The first chance at the life Joe and Brenda wanted came in August 2004 when the family found a place to purchase that was surrounded by 38 acres of open land.

The family cleared their trailer to save paying another month's rent and drove 40 >>>



Brenda Grinsell, left, rests in a recliner while her son Smiley plays on the computer in their house on the Northern Cheyenne Reservation. While waiting for the BIA to process their housing application, the Grinsells lived in two different houses with relatives for about a year.

miles from Colstrip to his parents' house in Busby for a stay that they expected to last a couple of weeks.

"It was way out in the country all by itself," Joe says, "and we were, you know, jumpin' at the chance at it."

When the deal — an oral agreement — fell through, they were left without a place of their own. The "two-week visit" lasted five and a half more months.

"We didn't even have our own room," Joe says before explaining that the couple shared a tiny bedroom in the double-wide trailer with their youngest children, Haley and Peach.

Their teenage sons, Justin and Smiley, stayed in a room with no door that they shared with three of Joe's nephews.

"We just had to try to make space the best we could," Joe says.

Their next move was to the basement of Brenda's parents' house, 16 miles east and a few miles south of Lame Deer.

"I was sick of moving," Joe says.

Another half of a year passed before they learned the house they now own was for sale. It is three miles from Joe's parents' house. They had driven by it countless times.

Like so many other homes that became a part of Indian Country's national landscape in the 1970s, the house is pale blue, has three bedrooms and was built with HUD funding.

Open land that surrounds the home on all sides and two corrals in front of it are what distinguishes this home from the others. In the past year and a half the Grinsells have taken many steps to make it their own.

Step inside and a picture of the family's oldest daughter, Terri Jo, dancing at a powwow in a jingle dress hangs an arm's length away from a table that belonged to Brenda's grandmother. A Bible and small braid of sweet grass sit on bookshelves in the living room with a collection of gold-bound books by authors like Poe, Thoreau and Shakespeare. Brenda, 42, says the classics are there

because they look good — then she laughs.

She is sitting on one of two burgundy recliners in the living room with her back to a picture window that looks out onto more than an acre of land that the family shares with a goat, calf and several horses. One of the horses is a white mare that was called Sunshine until the family changed its name to Killer so visitors could leave bragging about riding a horse with such a daunting name.

Through the front window, Brenda has watched summer windstorms pull black and orange skies over the gently peaked hills of the reservation.

"That's what I like," she says about living in this house, on this land. "I can see the storms come in."

But on this evening, the Grinsells won't gain any memories of windstorms. The wind is light, the clouds are white and the setting sun's colors resemble the reddened earth and yellow grasses that bring this land its own distinction, even among the more majestic mountain landscapes to the west.

"If you get a chance to, stop and look," Joe says. "It's so beautiful." ▲▲▲



A Rare Renovation Brings Renewal

At the heart of Martin Killsnight's house in Lame Deer is a wood stove that is his only heating source because he suspects some of the wiring in the place could start a fire.

He uses the stove for cooking too, although on this warm, spring day in late March he is likely to opt for the hotplates he uses in the summer.

"That's a good stove," he says. "Throws a lot of heat."

When the sun goes down, and he returns from saying prayers in the sweat lodge at his brother's house 10 miles away, the air that seeps through the cracks of his log home won't bite like it has on colder, winter nights.

His full-size bed occupies the southeast corner of his square, two-bedroom house and leaves just enough room for walking at its foot and right side. Two pillows, white sheets and a flannel blanket, fitted tightly over his mattress, meet a military standard he was held to when he was in the Army.

He is a Korean War veteran, discharged in 1954 after four years of service. He counted his days in Korea and still remembers the duration: 14 months and eight days.

Lame Deer has been his home ever since and his house was given to him by his aunt 30 years ago. After his first 15 years of owning of it, Killsnight filed an application with the tribe's Housing Improvement Program to receive assistance for repairs.

HIP is contracted by the Northern Cheyenne Indian tribe and funded through the Bureau of Indian Affairs Housing Department. For 2008, President Bush's budget proposes to cut all funding for the program. Congress has yet to vote on it.

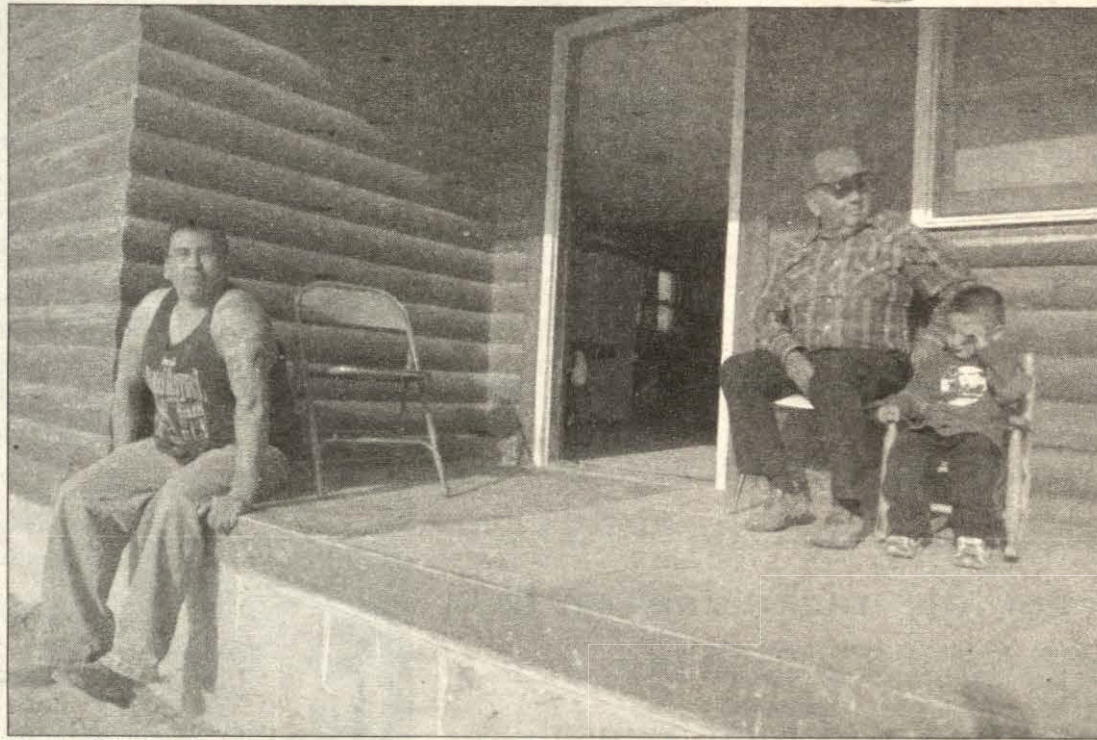
The 2007 national budget for HIP is \$19 million and the budget for the seven reservations under the BIA's Rocky Mountain Region, including the Northern Cheyenne, is \$2.1 million. Lewis Martin, who administers the program from Billings for tribes throughout the region, says his office's budget will cover only 38 of 743 documented eligible applicants, one of whom will be Killsnight.

"HIP is the only program in the country that provides assistance to the poorest of the poor and neediest of the needy on reservations," Martin says.

The 75-year-old Killsnight, who has arthritis, will be one of two people who will have his home repaired through HIP on the Northern Cheyenne Reservation this year. Last year, HIP repaired one home on the reservation.

Renovation costs for Killsnight's home are expected to total \$35,000, a price tag that includes labor, supplies and administrative costs.

A point system based on income, family size, dis-



Martin Killsnight, middle, sits in the afternoon sun with his nephew Roger and grandson Eli Lopez in Lame Deer. Killsnight filed for assistance from the Housing Improvement Program 15 years ago and is now getting help for home repairs.

abilities and age determines who is qualified for HIP assistance and who will receive it, although applications must be updated annually to be considered for a project. Both Killsnight and his daughters, Event Killsnight and Claudine Cano, say they did not resubmit an application. They are not sure who did, but they are grateful for the help.

On a recent day, Micheline Bearcomesout, the tribe's acting director of the program, walks with a contractor down the dirt road that runs between the HIP office to Killsnight's house, no more than a 100 yards away, to survey its need for repairs.

"Is he gonna have a place to go?" Bearcomesout asks Killsnight's granddaughter Julia Killsnight.

"He needs to know when the work's gonna start," the 31-year-old answers.

"In a month."

One month. Killsnight received news that HIP planned to remodel his house two weeks earlier and he has his own list of repairs that he sees as needed to bring it to standard, all of which are likely to be fixed.

"What we do is go into a house and when we leave, it looks like brand new," Martin, the Billings housing director, explains. "We do everything, whatever is needed."

Killsnight also wants to see the walls cleaned or repainted. The wood stove in the living room has darkened the white ceiling in his bedroom and added a layer of black film to the walls.

They've tried without success to scrub it off with Lysol, Julia says.

Still, he plans to stick with the wood stove for cooking and reject a more modern one that HIP has offered him. "I don't want that electric stove," he says.

The linoleum floors near his kitchen and bathroom sinks need work, too. They cave when Killsnight, who is the height of a jockey, places his weight on them, and spring like a tiny trampoline when he bounces up and down.

After improvements are made, new wooden boards will run under his floors, replacing the older ones that became rotted over the years from leaky pipes.

He doesn't speak of finding another place to live, though.

He doesn't speak much at all, actually. He is hard of hearing and when a question isn't understood he turns to Event, who raises her voice and repeats what went unheard the first time, adding Cheyenne words at the end. When he has questions of his own, sometimes he'll choose to ask them using Indian sign language.

Beyond his front porch, his grandsons push toy construction trucks through the dirt. There is no grass. His niece Cornelia Clubfoot says there never has been.

Across the street are the tribal government's offices, and at 5 p.m. cars pour out of its parking lot and onto Cheyenne Avenue, the town's main street. The door of the Lame Deer Trading Post, one of the town hubs, swings open and barely closes before another customer walks in or out.

From Killsnight's front porch you can see and feel the pulse of Lame Deer.

"It's a good place to look around," he says.

Granddaughter Julia and her family lived with him until a rental unit became available.

During that time, one of her sons suffered a burn from a water heater near the kitchen sink that stands as exposed as his kitchen table, two couches and television set.

While she lived there, she says, six other family members also crowded into the house with her and her two children. Killsnight's second bedroom was filled and one corner of the living room had cots. "It was really hard for all of us to get a house," Julia says.

Now, only one of Killsnight's granddaughters, Crystal Abel, lives there and she stays in the spare bedroom with her 4-month-old son, Carlos. Like Killsnight, they will have to find someplace else to go.

Not much will have to be cleared, however. His furniture pieces are few and his decorations fewer. Besides some family photographs on the wall, he has a framed print of DaVinci's Last Supper hanging over one couch.

"He lives a real simple life," says his niece Laurie Clubfoot. ▲ ▲ ▲

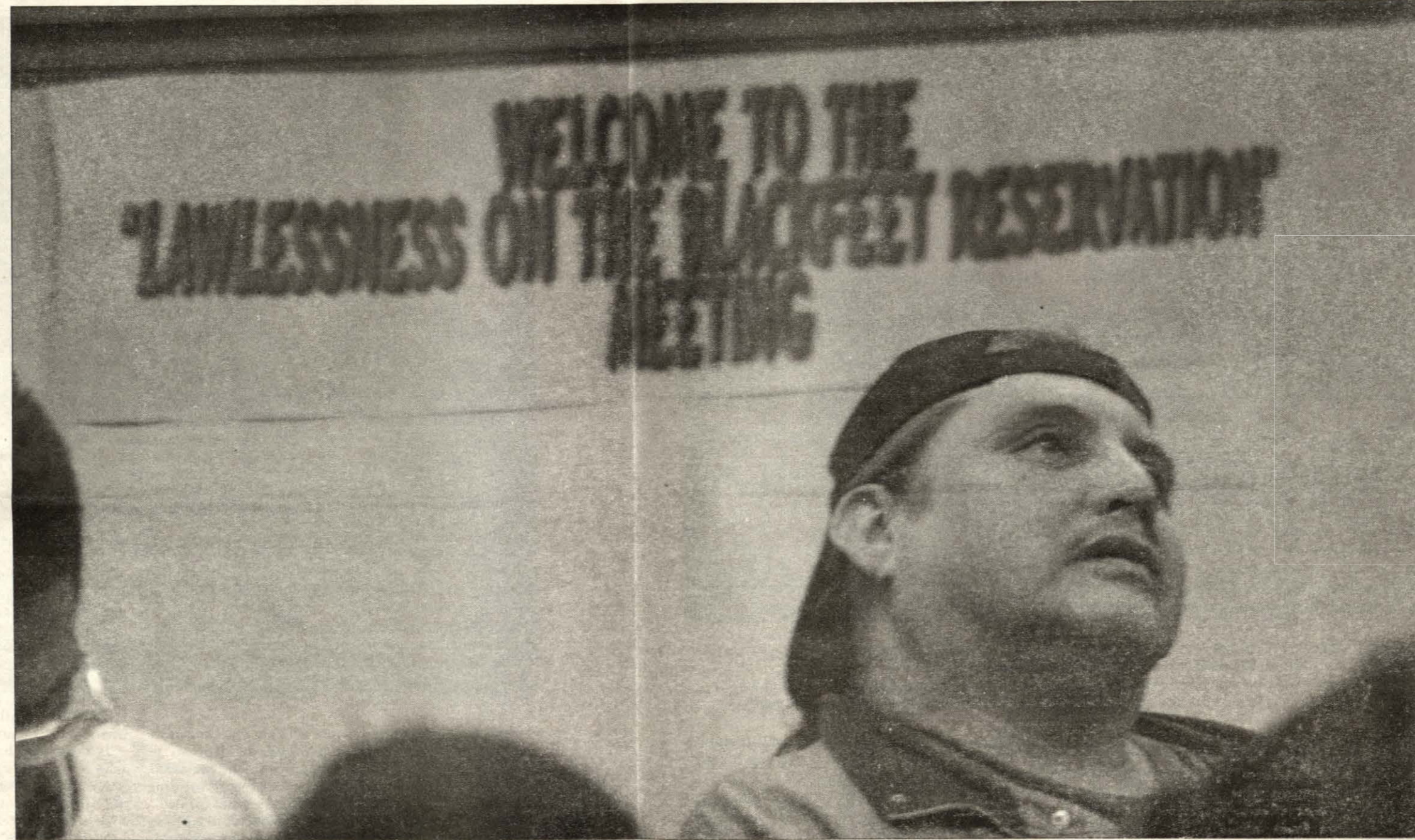
Embattled on the Blackfeet

Four years after taking over law enforcement, BIA police face a restless population

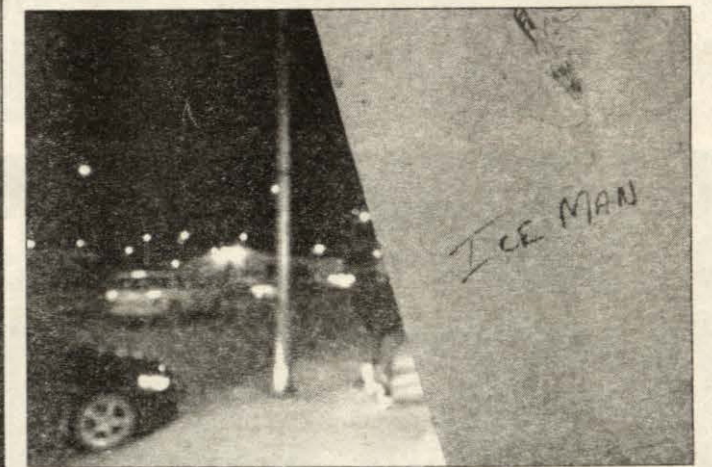
W Story by Daniel Person Photography by Ryan Tahbo

William Westwolf Jr. was known as "Ice Man" around Browning on the Blackfeet Reservation. He got the nickname in high school for his ability to score 40 points in basketball games before they invented 3-pointers. He's got ice in his veins, they would say. Officers from the Bureau of Indian Affairs picked up the 46-year-old Westwolf on an unusually warm Saturday in February that didn't give any hint of the northern cold front about to descend. Though police arrest records are not available, his family speculates it was for public intoxication. On the reservation, a person can't be charged for public intoxication,

but can be picked up and detained as a safety measure. Police use what's commonly called the "eight-hour rule," holding people in jail until they sober up, then letting them go free. Eight hours after Westwolf's arrest was 2:15 a.m. By then a cold front had broken the winter silence, roaring along the eastern edge of the towering Rocky Mountains, sending the mercury plunging to 2 degrees at the nearest weather station, in Cut Bank, 34 miles to the east.



Left: George Westwolf, brother of the late William Westwolf Jr., reacts during a public forum in the Blackfeet Conference Room. The public forum was set up to allow Blackfeet tribal members to voice their concerns about lawlessness on the reservation. **Below:** William Westwolf was known as "Ice Man" because of his calm yet competitive nature during his days as an athlete. "Ice Man" was a regular at the liquor store Ick's Place, where his nickname serves as a reminder to passersby.



When Westwolf didn't come home that night, family members say they called the jail on Sunday to see if he had been picked up, but were told he wasn't there. When the family asked to file a missing person report with Bureau of Indian Affairs police, they say they were told to go to the tribe for help. The family started searching and asked the tribe for aid.

Mark Keller, head of Disaster and Emergency Services for the tribe, was amazed by the BIA's inaction.

"They didn't take no action," he says. "It was kind of left to us." Keller, who used to work for the BIA police, organized a formal search on Tuesday after informal efforts turned up empty. Over several days almost 200 people joined the search, which, aside from volunteers, included tribal agencies, the FBI and, by then, the BIA. Keller says the BIA didn't tell the family Westwolf had been in jail until Tuesday, after the formal search was under way.

Only one person reported seeing Westwolf after his release from jail. But security cameras around town occasionally caught his lonely pre-dawn wanderings.

His brother Arthur Westwolf and search and rescue leaders stared at grainy black and white videos as they tried to piece together clues to his whereabouts.

A camera outside the jail caught him traveling north toward Blackfeet Community Hospital. He was caught next on hospital security cameras, walking down halls inside the hospital, exchanging words with a security officer.

A camera outside the adjacent Blackfeet Chemical Dependency Treatment Center caught him next, placing a hand on one door and then another, but not entering.

The final clips of his life are the hardest for his family to understand. The treatment center security cameras show Westwolf heading west. West, toward his family's 120-acre plot

of land, where horses roam in packs. West toward the jagged Rocky Mountains where a Hollywood camera crew shot the scenes depicting heaven for "What Dreams May Come."

But a few minutes later, Westwolf has turned and is headed east. There was nothing for him to the east, just open fields and rubbish the wind collects as it swirls through Browning.

Six days after he disappeared, on Friday, Westwolf's frozen body would be found in one of those fields next to a broken down barbed wire fence tangled with fast food wrappers and plastic bags from the IGA.

His eyes were wide open, his arms curled at a 90-degree angle, his skin blackened. An autopsy lists hypothermia as the cause of death. His blood alcohol content was .12 percent.

Though Keller is upset the BIA jailers didn't tell him sooner that Westwolf had been detained and let go at that early hour, he knows it wouldn't have saved his life. Keeping >>>



Above: BIA police officers check homes during a tire fire in Browning. Some Blackfeet tribal members say that the presence of BIA police officers at emergencies is an uncommon occurrence.

Left: When problems on the reservation go unresolved, many Blackfeet tribal members seek the advice of Blackfeet Councilwoman Betty N. Cooper, who takes the time to see as many as 50 people on a weekly basis.

Westwolf in jail until morning, he says, or calling his family, would have.

For his family, and many others in Browning, Westwolf's death is one sign that points to what is wrong on the reservation: A Bureau of Indian Affairs police force they consider foreign, committing acts they consider careless, in a town severely in need of better law enforcement.

accusations of corruption and misdoings in the tribal police force and correctional facilities. A few changes occurred after the report, but most were inconsequential in comparison to the real problems that bedeviled the police.

An inmate given trusty status walked away from the jail and stabbed a man to death in 2002. A few months later another inmate jailed for partner

On Feb. 15, 2003, more than 50 Bureau of Indian Affairs agents swept into Browning just after noon with assault rifles at the ready. BIA officers from tribes across the West converged on the police station and jail, seizing tribal officers' guns and badges and relieving 37 employees of their duties. Even the jailhouse cook was fired.

Many on the reservation cheered the changing of the guard.

Corruption was rampant. In 2001, the federal government had released a report that detailed 58

abuse was given a pass to attend an Alcoholics Anonymous meeting, but instead went to his girlfriend's home and raped her.

Days before the BIA swept in, after a 13-year-old girl was raped, a doctor at the hospital called law enforcement and asked for an investigator. Hours passed and no officer showed up.

The BIA had had enough. The contract the Blackfeet Tribal Council had negotiated in 1995 to take over law enforcement was now null and void.

It wasn't long, however, that the optimism residents of the reservation felt after the takeover turned to disillusionment.

The size of the police force has gone from about 30 following the takeover to just 10. At the jail, six guards share duties 24 hours a day. The BIA has posted openings for two correctional officers and a supervisor, but in late March those jobs were still unfilled.

At most five police officers are on patrol on a weekend night, but most of the time it's fewer. At best, the officers work five 12-hour shifts a week. At worst, they don't get weekends off, says Police Chief Clifford Serawop.

Outside of Serawop's office, thank you cards written by a class of third-graders are tacked up on a wall.

Thank you for saving our town, saving our roads, and picking up drunks, one reads.

I want to thank you for making sure nobody steals me and protecting me, reads another.

They are motivation for his officers, Serawop says.

"It's a battle here," and it can wear on the officers, he adds.

Serawop knows there is animosity toward his force. He is the second chief in four years. It's the response the BIA gets on every reservation, as far as he can tell. He has been an officer for the force for seven years. He concedes, though, that Browning presents challenges that not all towns do.

"It's a lively town," he says, and then pauses to find more words to describe it. He can't. "It's a lively town."

Serawop's office lies behind a locked door in the sterile building that holds the courthouse, police station and jail. He arrived in Browning on a cold November day in 2005.

In his powder-blue uniform, he diplomatically dissects the challenges he faces as a police chief in Browning.

Manpower is the biggest.

His budget allows for 16 officers, but keeping the 10 he has is hard enough.

"People don't consider that we don't have many officers coming in here" looking for jobs, he says, well aware of the criticisms voiced outside the walls.

The BIA enforces high standards for police, he says, and that narrows the field of potential applicants even more. He estimates his officers get 70,000 calls a year. And not all the calls come from Browning.

The reservation spans 1.5 million acres, larger than the state of Delaware. While Serawop acknowledges that's a lot of land, he says because the population is concentrated in a few communities it's not hard for officers to respond quickly.

Jolene Vance, however, disagrees. She lives in Heart Butte, 26 winding and undulating high-way miles south of Browning.

"You could be beat to death by the time they get here," she says while tending the counter in her small Heart Butte shop where she rents DVDs and sells cigarettes and sunflower seeds.

"There are fights, but by the time they (the police) get here, they're too late," she says. "They're all gone."

She says she broke up a street brawl a while ago between men using sticks as weapons. Despite all the noise, nobody bothered to call the cops.

"People don't call, because it takes so long," Vance says, estimating the response time at between 45 minutes and an hour.

Serawop is an officer in a chain of command that reaches all the way to Washington, D.C. For him to even release a police report requires that he contact superiors in Billings, possibly Albuquerque, N.M., or even Washington, D.C.



An unmarked grave on the Westwolfs' property is the final resting place of William Westwolf Jr. The family's horses, which frequently visit the spot, have since trampled the area and eaten the flowers that were once there.

Many in the community complain that it takes six months to even get an accident report so they can file an insurance claim.

For the Westwolfs, it's more serious. They can only speculate why William was picked up, or at what time, and it causes them considerable anguish.

"It's hard enough to move on," says Arthur Westwolf, surrounded by his grieving family. "But when you really don't know and you have all these questions, it's hard to get on with your life."

As for Westwolf's release from jail, Serawop says he has no oversight of the jail; that was a duty removed from his office and given directly to

On the other side of town, near the field where Westwolf was found, live the Gervais family.

Eighteen-year-old Zach Gervais was stabbed to death on Jan. 28.

When his father, Joe Gervais, talks about his son, his hands work a piece of purple plastic rope, wrapping it around his knuckles and then giving it a tug.

On the night he was stabbed he was doing "what teenagers do," his father says.

Zach and his cousin brought a girl to her home, so she could pick up clothes left there after she had been staying in the home, Gervais says. She was uneasy about her relationship with the people living there, so before she went inside, she told the boys she would shout if she needed help.

She shouted. When they came into the house, the elder Gervais says, they were ambushed by several men with knives, who stabbed both Zach and his cousin John Gervais.

The only stab wound Zach suffered entered through his upper back and traveled 8 inches to his heart. As he was taken from the scene by paramedics, Joe Gervais says his son told his cousin, "I don't think I'm going to make it."

By the time he got to the hospital, he was non-responsive.

One suspect is being held after he and another man were caught in Great Falls shortly after the stabbing.

The suspects have a criminal history, Gervais says, and should not have been on the streets.

The man accused of stabbing Zach was facing trial a week earlier for another stabbing. However, Gervais says, because of missing paperwork, he was freed. >>>

**"You could be beat to death
by the time they get here."**

- Jolene Vance, Heart Butte resident

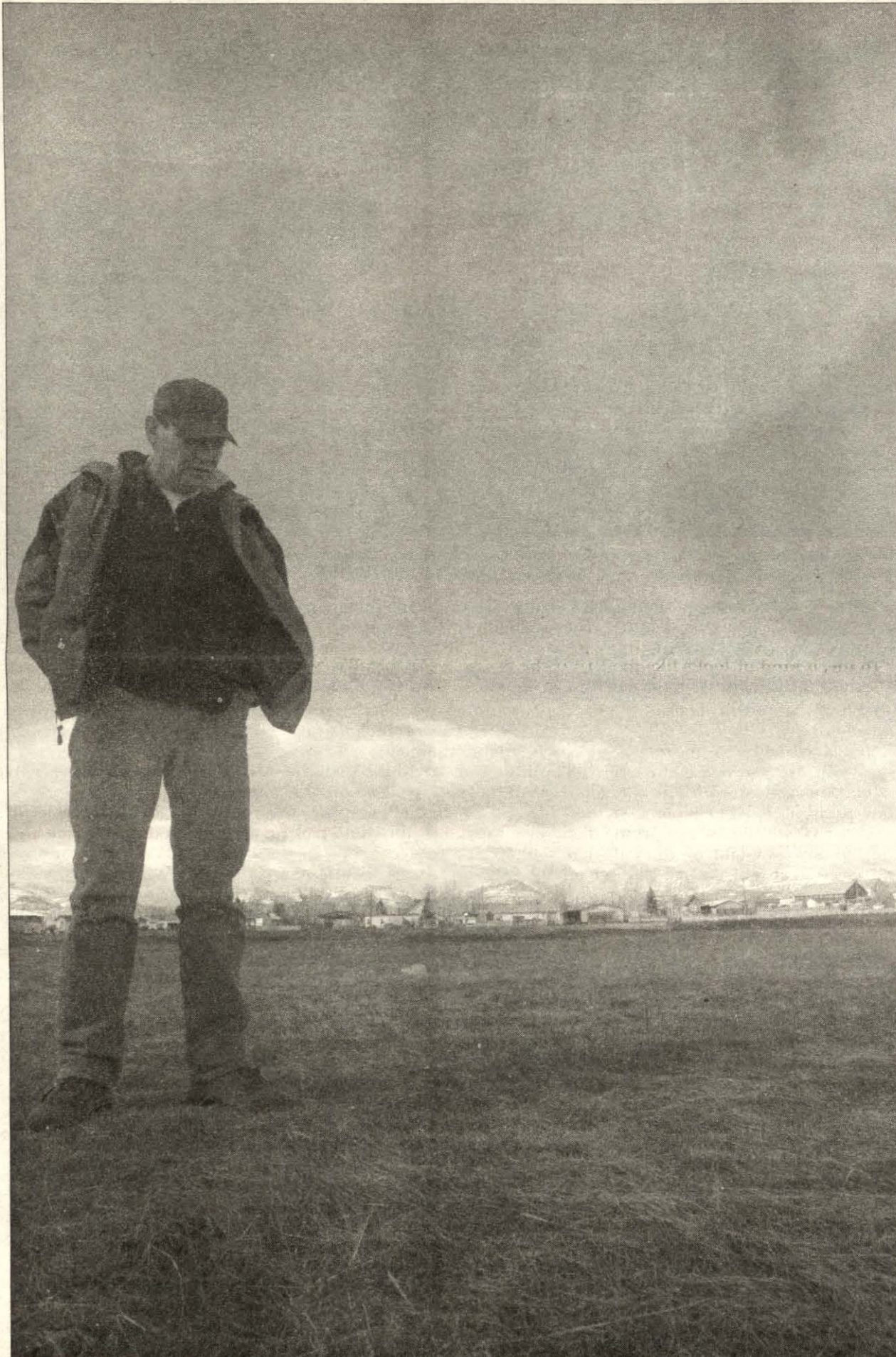
Deirdre Wilson, supervisory correctional program specialist with the BIA in Billings, 360 miles away. Wilson would not comment for this story.

When Arthur Westwolf talks about Wilson, whom he says he's tried to reach several times, she barely seems real, a person living in a far off world.

"They tell us to call this Deirdre Wilson in Billings," he says in his slow, careful drawl, stressing the word Billings to highlight the hopelessness he feels.

That makes his brother George's anger flare.

"The cops said, 'We have no control over the facilities,'" he says, then, nearly shouting, exclaims: "They took over the jail!"



Arthur Westwolf looks over the spot where his brother William was found frozen to death days after being released from jail at 2:15 a.m. in subfreezing temperatures.

"He was in court the week before, and the system failed," he says.

"I don't feel any anger at him," Gervais, who is tribal council treasurer, says about the suspect. "I feel anger at the system."

It's a system that has let people commit crime after crime with no repercussions, he says.

Gervais says he knows the suspect was involved in two previous stabbings and has heard he played a part in two others.

And while the Blackfeet tribal prosecutor says he will try the suspect for assault, the family does not know if felony charges will be brought against him. The tribal courts try only misdemeanor crimes. Federal prosecutors bring felony charges on the reservation, after FBI investigations. But federal agents are not forthcoming about investigations, even with family members of a victim.

"We don't know what story we are getting, or if they are investigating anybody," he says.

"If this happened anywhere else, these boys would (have been) in jail and I wouldn't have to worry about my kids."

Outside, his daughter plays on a crooked, twisted swing damaged by a week of winds that peeled back roofs around the town of about 1,100 people.

In the parking lot is a 1969 red Camero that Zach was fixing up. The rims were an early graduation present for a milestone that was supposed to happen this spring.

A public hearing about law and order on the Blackfeet Reservation was called in mid-April to talk about Zach and other victims on the reservation, in hopes of bringing to light problems organizers claim the BIA is causing.

In attendance for the tearful accounts of BIA misdeeds were Serawop, an FBI special agent and a federal assistant attorney.

"I don't think it's ever going to work," Gervais said about the BIA law enforcement before the meeting.

Later he adds: "To me, they don't care. It's just two Indians."

Prosecutions are another casualty of understaffing.

Mike Connelly is the tribal prosecutor who handles all misdemeanors committed on the reservation.

Connelly says he's forced to dismiss about 30 to 40 cases a week because police officers don't show up in court to testify against offenders. He estimates that over a year, 30 percent of cases are dismissed because officers fail to show.

He acknowledges that the police force is understaffed, but says that's no excuse.

"To me they have the attitude that they don't care," he says. "Maybe they do and they are overworked and burned out, but that's no excuse for not doing your job."

The frustrations are mounting, and some tribal members are calling on the Blackfeet Nation to take back control.

Betty N. Cooper, a tribal councilwoman, concedes that the tribe was doing a poor job enforcing laws when the BIA took over. The tribal council fought the takeover, but finally relented after talks between the council and the BIA. Since the takeover, however, the BIA has proven to be worse than the tribe, Cooper contends.

Like most other people, she has personal stories of her kin being mistreated, but she also hears stories by the droves from people coming to her office for help. She tells them to write the BIA and other government officials.

They rarely do.

"People are so discouraged that they don't have a voice," she says. "They are hopeless. They can't go to anyone."

"We are human beings," she adds. "We need to be protected."

Cooper concedes that the tribe would not be able to take over the duties immediately. Instead, she wants to start a five-year transition period during which the tribe would slowly take back control.

Most of the tribal members interviewed for this story say that the tribe would be better than the BIA. Some, however, aren't so sure.

Charlene Old Chief was a tribal police officer for seven years when the BIA took over. When she came to work that February morning, she was met by an officer with what she says was a machine gun and was asked to hand over her weapon.

While she thinks the methods were heavy-handed, the takeover, she says, was necessary.

As an officer, she would see tribal council members walk into court to get relatives' charges dismissed.

The BIA is better, she says, just understaffed.

Larry Epstein, county attorney for Glacier County, shares her sentiment.

"It would be great if the Blackfeet could take law enforcement back over, but they are not able to," he says.

William Westwolf's mother, Doris, and grandmother Gladys live together in a small home west of town, six miles down Highway 89. When the wind blows, as it so often does, the roof rattles and sometimes even shakes the knickknacks William's grandmother likes to keep on the nightstand by her bed.

On the walls are so many family photos that those near the top nearly touch the ceiling. They are mostly portraits of children with hairdos only worn on school picture day. Most are the size of notebook paper.

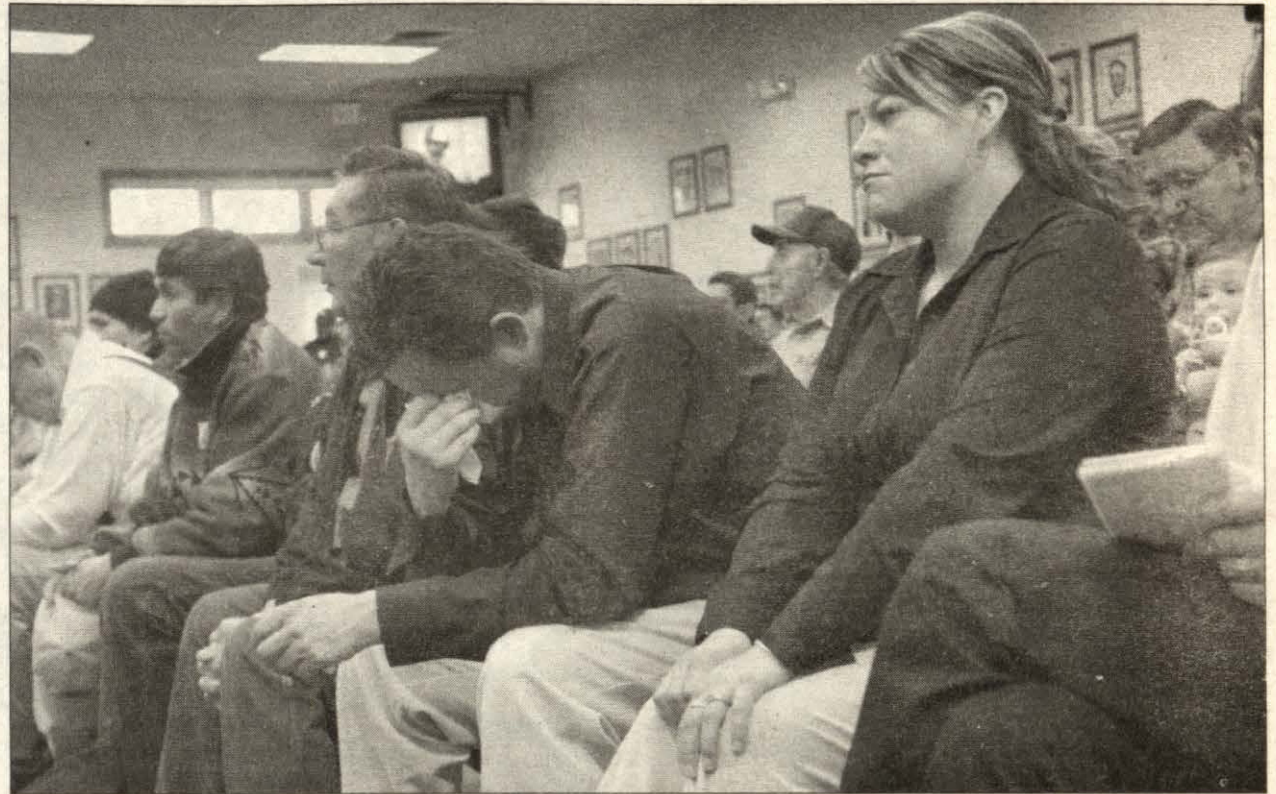
But there are none of William, not on the walls. They make his mother too lonely, she says as she sits on her bed. So she keeps them in a plain cardboard box by her bedroom door. There's one of him in his basketball uniform, another of him at his high school graduation. When she slides them out, her hands tremble.

Tears aren't visible, but she clutches a paper napkin in her hand and dabs the outside corners of her eyes.

Westwolf's brother George still thinks about him when he goes to bed, and when he wakes up in the morning. George was just older than William, was the one who taught him how to play basketball, the sport that brought William fame on the reservation.

His words are harsh when he talks about his brother's death.

He'll look you straight in the eye and ask, "Who's



Joe Gervais is overcome with emotion during a public meeting focused on the lawlessness on the Blackfeet Reservation. Joe and his wife, Rochelle, right, recently lost their son Zach in a stabbing incident. No one has been charged in the case.

to-blame for Ice Man's death?" He's not being rhetorical. He really wants to know.

"To me, it kind of looks like the BIA is the cause of his death," he nearly shouts when you don't give him an answer.

Even louder: "Put it together. If you were the jailer, you wouldn't have let him out at 2 in the morning at 9 below, would you?"

Though it was 2 degrees in Cut Bank, Westwolf insists it got much colder in Browning that night. It's always colder in Browning, he says.

For the Westwolfs, what happened to William is a dishonor to the Blackfeet people, the proud Blackfeet people, whose name, Nanapikuni, means the "real people."

"To me, they don't care.

It's just two Indians."

- Joe Gervais, Zach Gervais' father

When Lewis and Clark came in contact with the Plains Indians, many of the Indians spoke of the ferocity of the tribe that came from the north, and traders kept away from Marias Pass, the lowest pass over the continental divide in Montana, for fear of Blackfeet attack.

Now, Crow and others not from here patrol the streets and lock up offenders.

Though it was well over a century ago that Crow and Blackfeet last warred against each other, the sentiment still lingers. William Westwolf's grandfather would tell the stories of Blackfeet battles with the Crow, who now live in south-central Montana on a reservation, which like the

Blackfeet, is much diminished in size from its original allotment.

Arthur Westwolf has been the most adamant about finding out what happened to his brother. He keeps a diary in neat cursive handwriting, noting anything he hears about that cold week in February.

Arthur teaches third graders the Blackfeet language at the public school.

"A lot of these Indians (on the police force), they are just doing their time, they don't want to be here," he says.

He says the five tribes that make up the Blackfeet confederation are like his hand. He holds his hand open, with his palm facing him, and calls out the

names of the five tribes in the Blackfeet tongue. His band, the South Piegan, live farthest south.

He is unhappy that strangers oversee life on his reservation.

It's a thought he ponders as he stands over where his brother was found. Before he turns to leave, he makes a tobacco offering to William, pressing a

Marlboro Red between his fingers, letting the tobacco fall to the ground, and says a prayer in Blackfeet.

Oh Source of life

Oh Creator

Help me

Please hear me

Help us so we may avert the path of wrongfulness

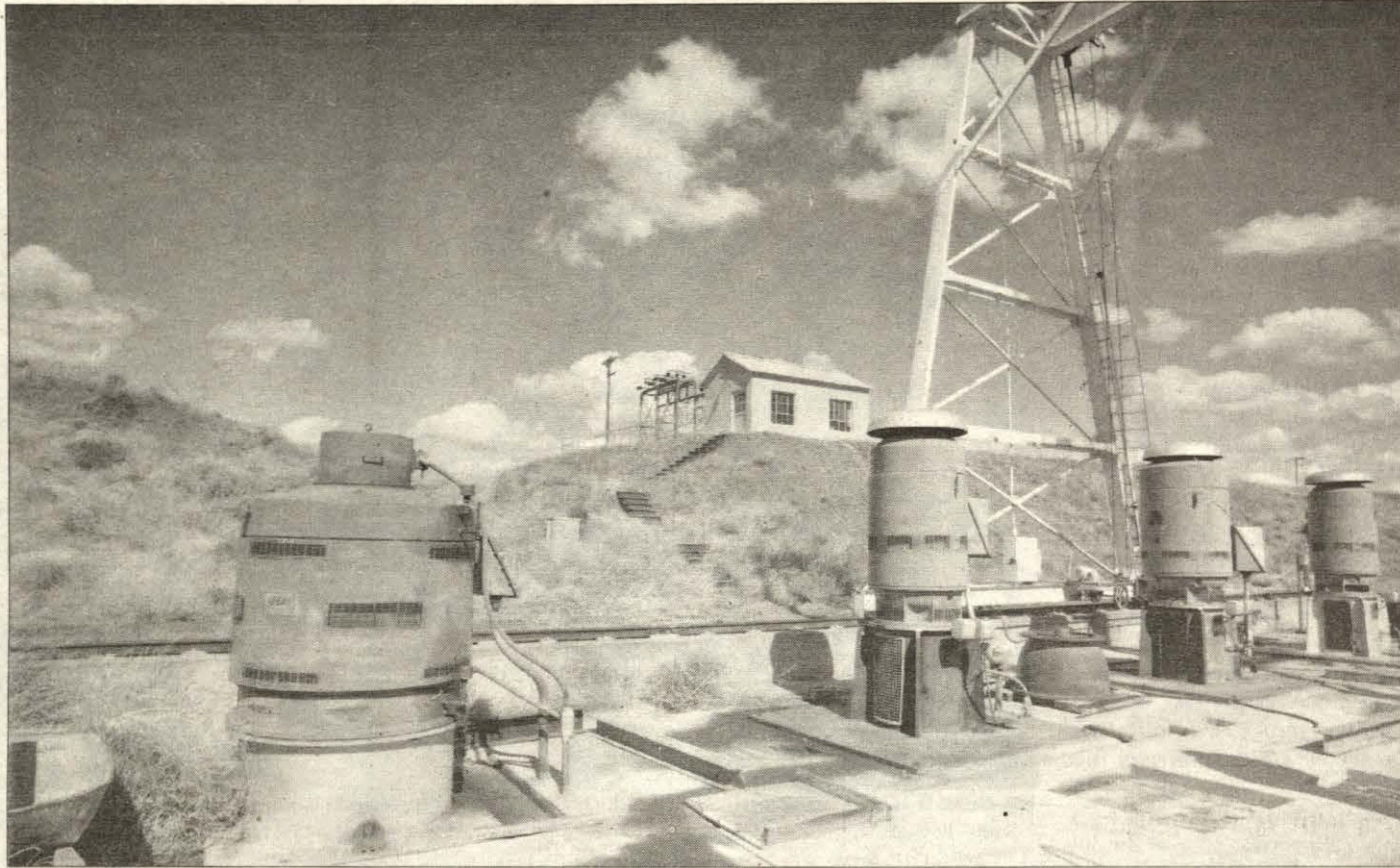
Oh source of life please help us

Mother Earth, Sun, help us grow old

And fully raise our children

Long life, survival

Amen. ▲▲▲



High and Dry

An ancient BIA irrigation system is making farming a frustrating endeavor

Story by Jessica Mayrer

Photography by Kristine Paulsen

Rolling hills, like Goliath's sloping shoulders, stretch across the landscape of Montana's Fort Peck Reservation. U.S. Highway 2 marks the deep groove in the giant's spine. Along the two-lane road cars speed next to Burlington Northern boxcars on tracks that roll toward Wolf Point.

Rusty Stafne lives just off Highway 2. An Assiniboine, he grew up on this land, in the shadow of grain elevators and water towers. Although he's traveled, living in California for awhile, he has always called the reservation home.

"This is what I wanted to do all my life, be a farmer," Stafne, 71, says. But that dream is in jeopardy.

Maneuvering his truck over train tracks, Stafne points to the 70-year-old Bureau of Indian Affairs irrigation system. It is, literally, crumbling. Irrigation ditches are covered with weeds, the concrete in the main canal has deteriorated, pipes have rusted and pumps need replacing.

The cost of bringing water to parched crops over a decade of drought is one of many forces pushing Indian farmers off of their land. Growers hooked up to the aging BIA irrigation system on Fort Peck

pay about \$20 an acre, whether they want water brought to their land or not.

For Stafne, the cost of irrigating hay and alfalfa on some 200 acres is about \$4,000 a year. But paying that price doesn't guarantee the water will actually get to his land.

Unable to pay for the operations and maintenance charges on the BIA system, Stafne cut his operation from 200 acres to about 65 this year.

"I couldn't afford to," Stafne says. "It was hard to get water on it to begin with, and even if I watered I could only maybe get a ton, or ton and a half of hay" per acre. Stafne charges about \$65 for a ton of hay.

The irony amid all this is that the Fort Peck tribes have one of the best water compacts in the nation. They are entitled to millions of dollars worth of water that rushes through the Missouri. But they have only bits of rusted pipe to bring it onto fields.

Tribal water agreements with the federal government go back to the 1880s. A Supreme Court ruling from 1908, the Winters Doctrine, said that "to become a pastoral and civilized people," tribes would be allotted as much water as they need. The court also said that agricultural lands such as these,

"without irrigation, were practically valueless."

The BIA has a legal responsibility, but not the funds, to take care of reservation irrigation projects. Some doubt help will come from the federal government. The construction costs of the irrigation system, which was built in the 1930s, have yet to be repaid to the federal government, or be waived by Congress.

That debt runs in the neighborhood of \$7 million to \$8 million, says BIA irrigation director Richard Kurtz.

But that's just the start. "Our entire project is in deferred maintenance because we don't have the money to fix it," Kurtz says.

Kurtz acknowledges the BIA's responsibility to the reservation irrigation project, but says if they aren't given the resources to deal with problems, there's not much they can do.

In early April, however, Congress gave the Fort Peck tribes \$700,000 to replace a broken pump and clear irrigation ditches this summer. They expect an additional rehabilitation grant of about \$1 million next year, says Thomas "Stoney" Anketell, a tribal council member trying to drum up money for a new irrigation project.

Above: Four pumps operate at the Wolf Point-Frazier pump station on the Fort Peck Reservation. Most of the machinery in use at this site is from the 1930s, when the pump station was originally built. Tumbleweeds and moss frequently choke the machines, resulting in extra maintenance.



Left: While Rusty Stafne looks on, Otto Cantrell shows the path the irrigation system follows on the Fort Peck Reservation. Cantrell is angered by what he says is a lack of help from the BIA in the upkeep of the reservation's irrigation system. **Right:** The Fort Peck irrigation system creates several problems: Farmers often don't receive enough water – and don't receive it on time – or drainage ditches are blocked by tumbleweeds, which results in swamplike acreage that cannot be farmed.

"It's not going to fix it and make it new; it's a 70-year-old project," he says. It's "10,000-year-old technology. There's better ways of doing things."

But Kurtz says much more must be done.

"We just don't receive enough money to do it," he says. To enclose the system, increasing its capabilities, would cost about \$6 million. "As far as funding, rehabilitation, reconstruction, or even operations and maintenance, it is a huge problem, but there's just no money," he explains. "And if you don't have the money you might as well just forget it."

Fort Peck's main industries are farming and ranching. Unemployment, typical of most reservations in the state, runs about 50 percent. As Native Americans are increasingly unable to earn a living in farming, future generations on Fort Peck will have even fewer options.

The Fort Peck Reservation is about 40 percent non-Indian. At last count, the U.S. Department of Agriculture reported the Fort Peck Reservation had 548 farmers, 94 of them Native American.

Some tribal members question whether the BIA and Congress are living up to their promises.

"If the United States government is tired of throwing money at Indian reservations, they're getting nothing in return, how about living up to some of your agreements and protecting our Indian lands so that we can develop and create our own jobs and self sustain ourselves?" asks Otto Cantrell, a member of the Fort Peck Landowners Association.

The association is a fledgling group of Fort Peck farmers looking for solutions to the stifling economic conditions of the reservation. "We have to go against the powers that be in Congress," Cantrell says. "It's about saving the reservation."

A new irrigation system could enable Fort Peck to produce high value crops, he says, which would bring jobs and a better standard of living to everybody on the reservation. "It all boils down to this irrigation infrastructure," he says.

Stafne notes that he tells young farmers to "stay out, stay out of it." "They're shutting them down

every year," he explains. "People are going out of this business."

Large agribusiness is increasingly gobbling up the family farm on Fort Peck. "Eventually I see it being taken over by the white man," Stafne said.

Farmers everywhere struggle, but Native Americans face unique challenges such as multiple owners on small parcels, and because the U.S. government holds title to their property, Indian owners have a tough time getting business loans, unable to use their land as collateral.

But if Fort Peck could build a better irrigation system there may be hope, Cantrell says.

Until then, reservation residents will likely stay at the bottom of the socioeconomic ladder.

"There should be no reason on earth why we should be the poorest of the poor. There is no reason on earth why we shouldn't be able to manage our own affairs," Cantrell says.

Stafne worked for the BIA irrigation system for about seven years as a mechanic and equipment operator. In the '80s, he fixed BIA's machinery and ran a backhoe. It helped him subsidize his farming operation, he says.

He believes the BIA is wasting his irrigation fees on salaries for people who maintain the irrigation system. "I think if a company was doing it, or the water users," he says, "they could probably cut that in half, at least."

"Why, if they have the congressional responsibility to take care of this project, why aren't they funding these workers?" Stafne asks. "Why are they making us pay for their salaries?"

The irrigation staff comprises three ditch riders and a supervisory ditch rider who are responsible for clearing irrigation canals and system maintenance. A laborer, an accounting tech and Kurtz complete the crew, which Kurtz says is insufficient. They oversee about 23,000 acres of irrigation.

Cantrell is not convinced. "That thing is Third World; it's only operating at 17 percent efficiency and on a good day 20 percent," he says.

Kurtz disputes that estimate. "Most of our project is functional, at what rate is subjective," he says. "We do have a lot of maintenance problems. It's a 70-year-old project. I mean, it's breaking down."

The system runs solely on money collected from farmers and the occasional grant, just a little more than \$300,000 this year before the recent allocation. Collecting the money is a challenge. "It's a moving target as far as how much money we're going to collect every year," Kurtz says, chuckling. "For a long time now, these projects have not been able to operate based on collections. We just don't collect enough to do what we have to do."

But Stafne charges that because of multiple owners on many properties, some Indians are billed for the service and don't even know what they are being charged for. And "if you don't have any money, that acts as a lien on your property forever," he says.

This problem is not unique to Fort Peck. In a 2004 Government Accounting Office report, the authors pointed to similar challenges for 16 other BIA-run irrigation projects across the country.

Kurtz says that private investment in new infrastructure could be a less burdensome way to develop Indian lands and bring new jobs.

As it is now, the system is going largely unused, because of the cost, Cantrell says. In turn, land is left to grow weeds and sagebrush. Tumbleweeds clog the irrigation pumps and cause them to overheat. The irrigation system and the land are irreversibly tied.

"Every year that this system is in operation it's killing the land," Cantrell says. Seepage from irrigation ditches is causing saline to pool in the soil, he says, and saline is toxic to crops.

Farmers will struggle until something changes, Stafne says.

The responsibility, Kurtz says, lies primarily with Congress.

"We're trying to do our trust responsibility as best we can under very grievous circumstances," he says. ▲ ▲ ▲

Breaking the Trust

The BIA leases Indian lands to the highest bidders. They are not always Indian.

Story by Jessica Mayrer

Photography by Kristine Paulsen

Jim Doney's red baseball cap is tipped back on his head, letting a shock of white hair escape. As he sits beneath a painting of a battle-weary Indian warrior leaning over his horse, he looks boyish in contrast. He's all business, though, thumbing through a pile of yellowed papers in search for the one that he says shows how the Bureau of Indian Affairs took his land.

Doney, 72, wrote letters for more than 15 years to anyone who would listen and to many who would not. In 1989, he says, the BIA forced him to lease his property to a white rancher who ran hundreds of cattle there and killed the ancient cottonwood trees on his land. Spread across the plastic tablecloth in Doney's kitchen are letters from the Congressmen who, he says, finally helped him claim his land after years of struggle.

Three generations of his family have ranched on the Fort Peck Reservation in northeastern Montana. His sons were born and learned to walk here. In high school, after dinner, they took their girlfriends to the bluffs just over there, above the small pink house that Doney still calls home. Sipping from a mug of coffee, he looks out over the parched blanket of earth that he has fought to call his own.

Doney's trouble started in 1981. That's when he

bought two properties to add onto his existing 40-acre lot. Married with growing sons, Doney, who is both Sioux and Assiniboine, wanted to expand his Black Angus cattle operation.

The reservation was allotted in 1908, giving every eligible tribal member 320 acres of land. What was termed "surplus" land — 1.3 million acres — was put up for sale to settlers. As ownership has passed to later generations, some of the land became so fragmented that owners are left with parcels no bigger than a thumbtack. It's the

tion of the lot to rancher Jed Tihista. Doney claims Tihista dumped sewage on the shared lot and released hundreds of cows to graze on Doney's property.

"The timber is dying because he had over 500 head of cows over there on what — 35 acres, 37 acres?" says Mike Doney, Jim's son. "The value of the ground just took a nosedive."

Tihista acknowledges the BIA did enact a "forced lease" for a short time that enabled him to rent Doney's land without his approval. But, he says, the damage to Doney's land is from Doney's neglect. And, Tihista says, he only grazed 200 cows at a time, nothing close to the 500 that the Doney's claim.

But experts agree even that number is excessive. A sustainable number of cattle on a plot of 40 acres, for example, is approximately 13 cow/calf pairs, even in the winter when grazing is less harmful to the land, says

Jeff Mosley, range management specialist from Montana State University.

Yet Tihista insists that if Doney had properly cared for the property after the cattle were removed it would have regenerated.

The BIA has bent over backward to help Doney, he adds.

"He's dreaming; he's senile," Tihista says. "Jim has never been pushed around by that Indian agency."

Situations like Doney's happen all of the time on the reservation, says Michelle Buck Elk, a reality officer from the BIA in Poplar.

But "it's too late to do anything about it now," Buck Elk says. "It's been a hundred years in the making and they think that they are going to solve that overnight."

Because the BIA controls Indian lands, holding them in trust for Indian owners, its agents make the final decisions in property issues.

After 1989, Doney never agreed to rent land to Tihista and never signed a lease, he says.

In letter after letter he called on the BIA to stop insulting him and his land. He also asked why a non-Indian was allowed to lease land before a native on an Indian reservation.

"Everyone will say they can't do that, they can't do that — but they do," Mike Doney says. "If you're an Indian, and it's Indian ground, we have first rights to lease it."

"We've owned this land; we've been kicked off it."

In practice, if a land dispute between multiple

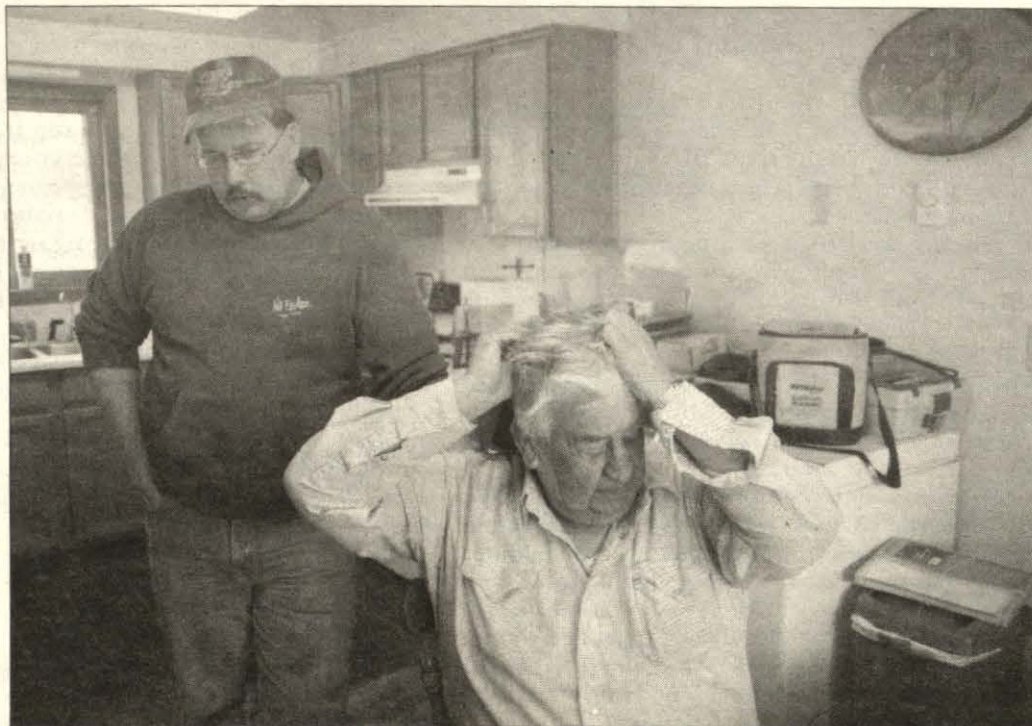
"We've owned this land; we've been kicked off it."

- Mike Doney, Indian landowner

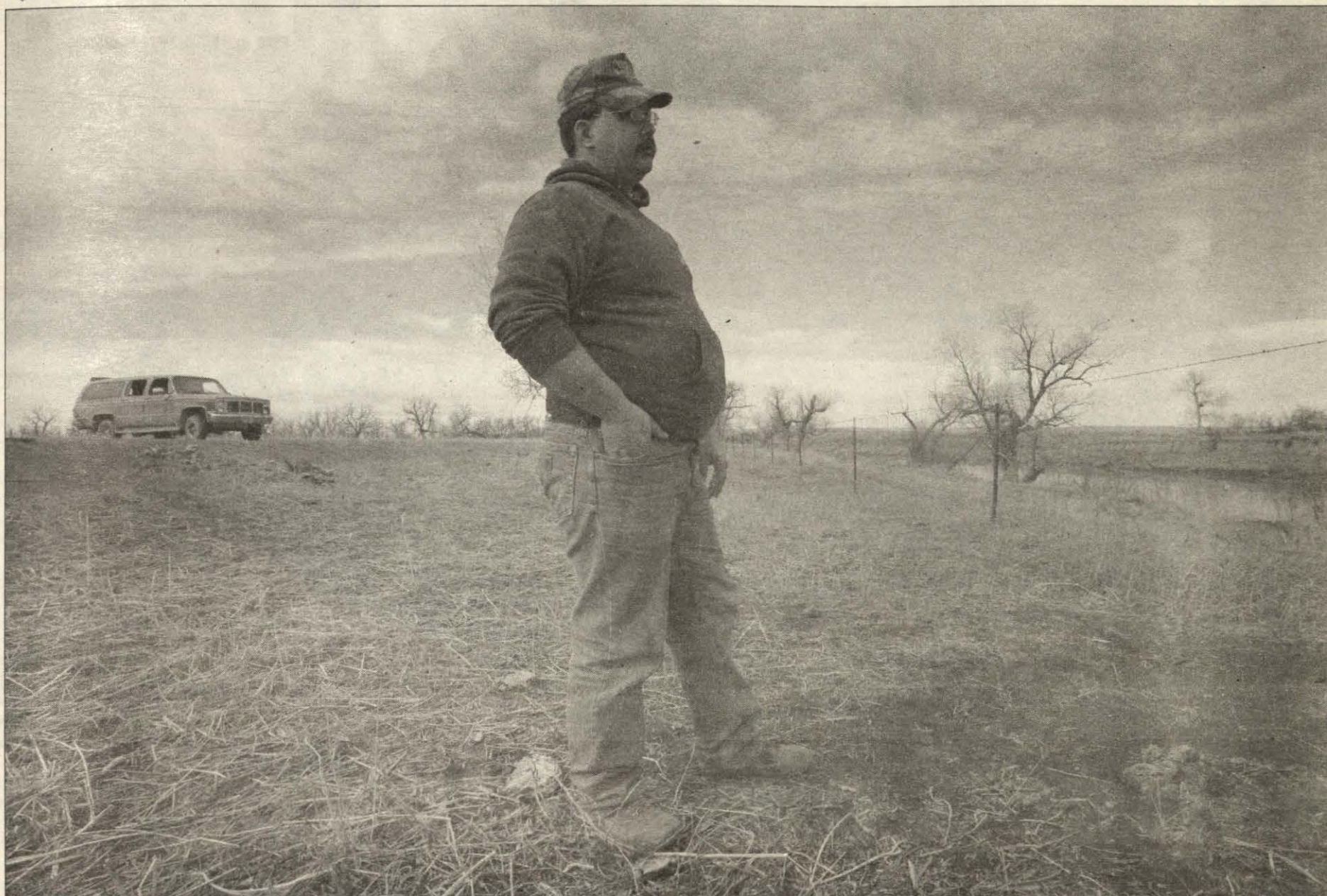
BIA's job to manage those parcels for the benefit of the many owners. It's not a simple task.

Doney bought an additional 60 acres in a parcel that totaled 80 acres. The remaining 20 acres were owned by someone else. No fence separated the two property owners' lands, nor could the owners agree just where their properties were split.

The other owner, Eunice Davis, rented her por-



Mike and Jim
Doney review maps, letters and leases pertaining to their land. With stacks upon stacks of paperwork, it's sometimes exhausting to plow through. Despite 18 difficult years spent trying to regain his land, Doney still manages to retain a jovial nature. The important part of his fight, he says, is to ensure that his land stays within his family.



Mike Doney looks out over a stretch of his father's land that borders the Milk River. He asserts that the value of the land has gone down because of poor land practices he says were used by a man who leased their land.

owners arises, the BIA will award the lease to the highest bidder, Indian or not. This is called a "forced lease." When two or more owners cannot agree, the BIA superintendent is legally obligated to rent the land.

The problem actually lies deep in the U.S. government's policy toward Indian landowners, says Terry Janis, program officer for the Indian Land Tenure Organization, a Minnesota group that aims to keep Indian land in Indian hands.

The whole system is based on old laws and racist principles, "the idea of Indians as savage," he says. The BIA acts as a parental figure, overseeing Indian-owned lands by holding them in trust, as with a child not yet ready for the checkbook, Janis says.

The BIA's paternal role over Indian people is rooted in the Supreme Court case *Cherokee Nation v. Georgia*. In that decision Justice John Marshall defined the relationship between Indians and the United States: "They are in a state of pupilage. Their relation to the U.S. resembles that of a ward to his guardian."

This is the language, penned in 1831, that is responsible for creating the legal institutions and mechanisms that exist today, Janis says.

Clark Madison, BIA regional realty officer responsible for oversight of land issues on Fort Peck, says his hands are tied. Everything the BIA does is dictated by law.

Madison says the BIA has spent thousands of dollars of an already tight budget attempting to accommodate Doney.

The reason the BIA leases property for landowners, who are often away from the reservation, is ultimately to prevent trespassing and misuse, and to bring money in for the Indian landowner, he explains.

Tribes have the power to override the forced lease process, Madison says. The American Indian Agricultural Resource Management Act of 1993 gave individual tribes that authority. Tribes can also institute Indian preference on reservation leases. But they generally don't, and they probably won't, Madison says, because if they did it would cost many landowners rental income. The Fort

Peck Reservation has 531,972 acres of fractionated land, he notes.

The American Indian Probate Reform Act should also address some problems, he says. Implemented in June 2006, it attempts to consolidate land ownership by clarifying Indian inheritance laws and encouraging Indians to write wills.

Doney, after years of writing to U.S. Rep. Denny Rehberg and former Rep. Pat Williams, now has access to all of his land. He got the final piece back 10 years ago, he says, but the trees are permanently destroyed and the land still needs much work to regain its productive state.

"You'll find very few Indians left on the reservation that are farmers," Doney says. Remembering the days of his youth, he says, "Christ, there was a lot of Indians in here."

Madison emphasizes that a lot of the Indians still there are working for other Indians and their interests.

"You've got to remember the BIA is almost all Indian," he says. "We are people just like everyone else. We are trying to do the best we can." ▲ ▲ ▲



A Pound of Prevention

The Chippewa Cree tribe hopes a new health clinic will reduce the rates of disease

Story by Amber Kuehn

Photography by Ashley McKee

The machine to Andrew "Junior" Small's left is keeping him alive.

He sits in the dialysis unit at Northern Montana Hospital in Havre, tubes in his left arm connected to the machine that performs the functions his kidneys no longer can. It moans with a soft humming sound, a steady rhythm that mimics the monotonous routine of many of his mornings.

Three days a week Dorothy Small wakes up her son at 5 a.m. Every Monday, Wednesday and Friday, an Indian Health Service van picks him up

at 5:30 from his home in Box Elder, for the 25-mile drive from Rocky Boy's Reservation to Havre.

Small was diagnosed with diabetes at age 24. Today he is 41. He recalls his first sign that something was amiss: His urine, he says, looked white. His mom, who has diabetes herself, urged him to go to the health clinic. A few hours after he took the first tests the diagnosis was confirmed.

"I was scared for awhile," he says. "My mom said, 'Well it's with you now. There's no way you can shake it off. If you've got a cold you can shake

that off, but not diabetes.'"

Since he began receiving dialysis in September of last year, Small has been hooked up to the machine for an amount of time equivalent to ten 40-hour workweeks. He has spent four hours a day, three days a week having his blood removed, cleaned and replaced.

"It seems like forever," he says.

He has never missed a treatment. He can't. If he did, the doctors told him he would only have two weeks left to live.

Previously, pills were all that Small needed for

Above: Three days a week, from 5:30 a.m. until about 1 p.m., Andrew "Junior" Small, 41, spends his time at Northern Montana Hospital in Havre, about 25 minutes from his home on the Rocky Boy's Reservation. Small has been a diabetic since age 24, and is undergoing dialysis, a process that removes the blood from his body and cleans it of impurities his kidneys can't before it is replaced. Small has been undergoing dialysis since September 2006.

medication. But now, with failing kidneys, dialysis has become his primary treatment.

Kidney failure is just one complication that can result from diabetes. Blindness, nerve disease, and heart disease can all occur if the disease isn't managed properly.

Rocky Boy's Reservation has the highest rate of heart disease in Montana.

As Small removes the white sock from his right foot, he reveals yet another complication. People with diabetes are 15 times more likely to have a foot or lower leg amputation than someone without the disease. Small has lost three of his toes to diabetes.

His disease is epidemic in Indian Country, afflicting a quarter of the population.

"In 1998, they told us with a high influx of diabetes in Indian Country, we're headed for a train wreck if we don't address it," says Alvin Windy Boy, who was chairman of the National Tribal Leaders Diabetes Committee from 1988 to 2005. "Certainly, in seeing the numbers, we are headed for a train wreck, if we're not there already."

In 1998 the Chippewa Cree tribe was three years into a self-governance compact, which allowed the tribe to operate programs formerly run by the Bureau of Indian Affairs. Windy Boy, a former tribal council member, says it gave the tribe flexibility to direct federal money funneled through the BIA into programs that needed it most.

Before that compact the tribes were at the mercy of the Indian Health Service and the BIA, Windy Boy says.

"When one grows up as a child, we depend on mom and dad to provide for us, to give us that direction," he says. "That's what the Indian Health Service and BIA were doing for my people."

But in 2005 the tribe handed contract health services back to the federal government because the escalating cost of health care left the tribe entangled in a financial morass, resulting in a \$1.7 million debt. Under contract health services the tribe is given a lump sum to pay for medical services that tribal members must receive off the reservation, in facilities like those in Havre and Great Falls. However, the need for health care services far exceeded the allotted money.

"We were never funded adequately in health," Windy Boy says.

Rocky Boy's is home to about 2,500 members of the Chippewa Cree tribe. It was established in 1916, the last of Montana's seven reservations to be formed. The reservation has been plagued by poverty and its unemployment rate averages 66 percent, more than 10 times the state rate. It is also the fastest-growing reservation in Montana, and by the year 2015, a projected 10,000 to 12,000 people will live within its borders.

In these conditions, the tribe was faced with a dilemma: continue operating under the control and supervision of the Bureau of Indian Affairs, or break free of BIA reins and attempt to stand on its own.

Brian "Kelly" Eagleman, vice chairman of the

Rocky Boy's Health Board, thinks that compacting was a good move.

"Personally, I think we saved a lot of lives by compacting, because we got to be a little bit more creative budgetary-wise, a bit more flexible within the way we provide the service," he says. "Within the federal system, you always had Big Brother looking over you."

"There's no way you can shake it off. If you've got a cold you can shake that off, but not diabetes."

- "Junior" Small, Chippewa Cree tribal member

Now in 2007, the tribe has taken out a loan to repay the debt. Eagleman says they're back on track, and the tribe has resumed control of contract health services. In order to stay within the budget, Eagleman says the tribe will adopt the rating system used by the Indian Health Service to ensure emergency needs are met. He says if the need arises, the tribe will begin the process of asking medical providers to come to Rocky Boy's, rather than sending tribal members off the reservation to medical facilities.

Since taking control of health care, a few things have changed. The tribe has now begun incorporating cultural healing into medical practices, which some tribal members believe physicians would previously have misconstrued as quackery. The tribe has also chosen to allocate more money to health care services, whereas before a large portion of those funds were used for administrative costs.

The tribe also plans greater emphasis on preventing diseases like diabetes and cancer. It is coordinating an effort with Benefis Healthcare's Sletten Cancer Institute in Great Falls to try to get more Native Americans to get cancer screenings. But perhaps the most concrete of Rocky Boy's improvements is a health care clinic whose doors opened on March 28.

The 56,000-square-foot Na-Toose Clinic, named after a late medicine man, is twice the size of the old clinic. Clinic CEO Fawn Tadios says the old clinic was too crowded. "We were on top of each other," she says.

The \$13 million facility was built by the tribe in hopes of improving service to people not only on Rocky Boy's, but at the adjacent Fort Belknap Reservation as well. Housing and Urban Development, the Indian Health Service, tribal money and loans funded the new building.

"It's very disappointing that this facility wasn't paid with a lot of federal dollars,"

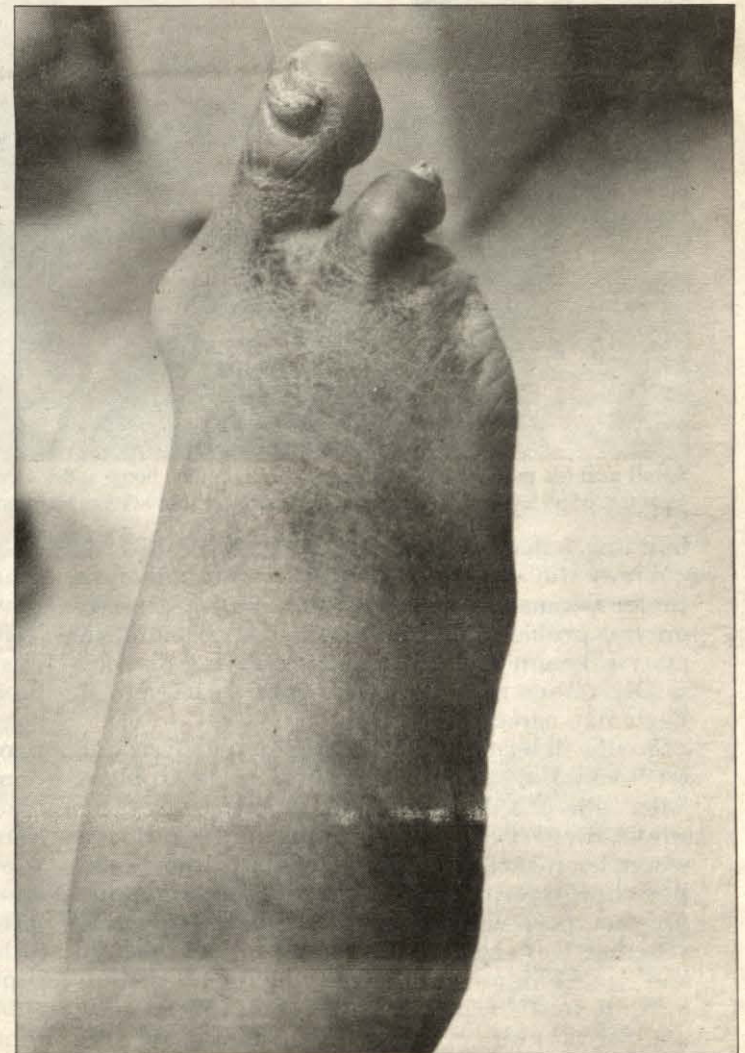
Eagleman says. "The tribe did it on its own," he claims, adding "had we waited for the system to build it, we'd probably still be waiting."

Health programs such as the chemical dependency program were previously scattered throughout the community. Now they are all under one roof. There is a room for group counseling, with the 12 steps listed on one wall. Diabetes programs

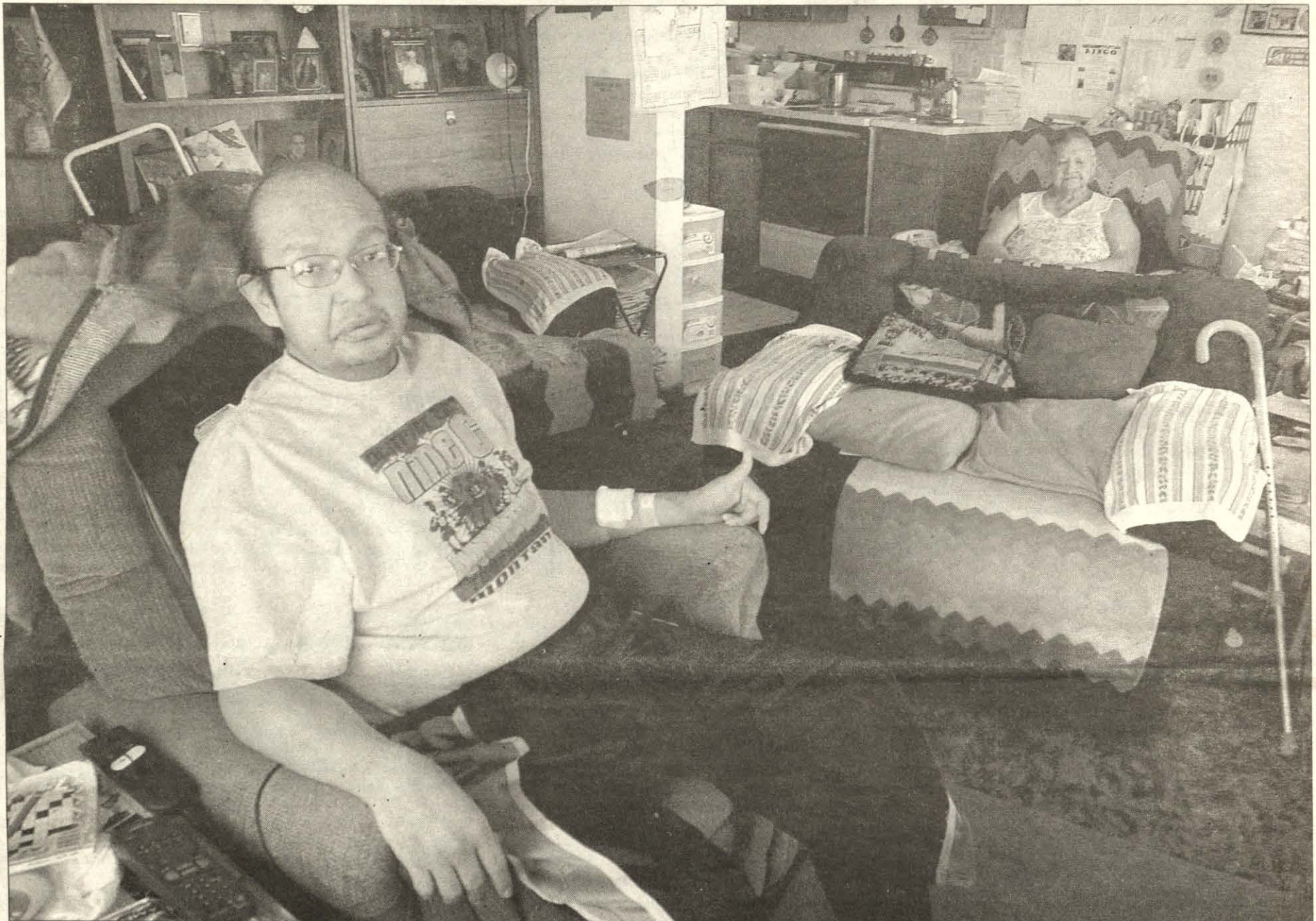
are offered at the clinic, complete with a kitchen where people prepare meals for diabetic patients. The dental facility is three times its former size. The radiology department and lab are entirely digital. But the new clinic, like the old clinic, still focuses primarily on basic treatment for coughs, colds, and everyday bumps and bruises. People with major medical emergencies are

forced to find treatment off the reservation.

It still lacks a pediatrics and geriatrics ward, something the tribe hopes to have someday. And although technology has been updated, particularly in the radiology department, there is still something lacking from this new



People with diabetes are 15 times more likely to have their toes, feet, or legs amputated because of neuropathy, a disease that causes patients to have poor circulation in their limbs.



Small and his mother, Dorothy Small, 79, sit in their home in Box Elder, in the foothills of the Bears Paw Mountains on the Rocky Boy's Reservation. Dorothy also has diabetes, but does not need dialysis at this point. Junior is seeking a kidney transplant that will free him from the dialysis he needs to keep him alive.

building: a dialysis unit.

Windy Boy says he has never favored a dialysis center because he believes it only puts a bandage on the problem. By creating a dialysis unit, he asserts, health administrators are saying diabetes is OK rather than trying to work to prevent it. Eagleman agrees.

Small will have to keep waiting for a dialysis unit on Rocky Boy's, but he says that's not a problem. After all, he's been waiting for something his whole life. Whether it is waiting to see a doctor when he makes his appointments at the Rocky Boy clinic three times a year, or waiting 45 minutes for his prescriptions to be filled. He waits. Whether it is waiting for the van to pick him up and drive him to Havre, or waiting for his dialysis to be done. He waits. And now, he is on a waiting list for a kidney transplant, waiting for the moment when his name is called and this life of dialysis and diabetes can perhaps be a thing of his past.

"The doctor told me it would be in the near future," Small says.

Small waits, and hopes that the future is now.

He wasn't scheduled to go to Havre that day. It was the evening of March 27, a Tuesday. But Small began to have severe chest pains and feared something was wrong with his heart. At about 8:30 p.m. an ambulance arrived at the small, white house with red trim, icicle Christmas lights still dangling from the roof. The ambulance made the rainy drive to Havre, where Small spent the night. It was a trip he wasn't supposed to have made for another nine hours.

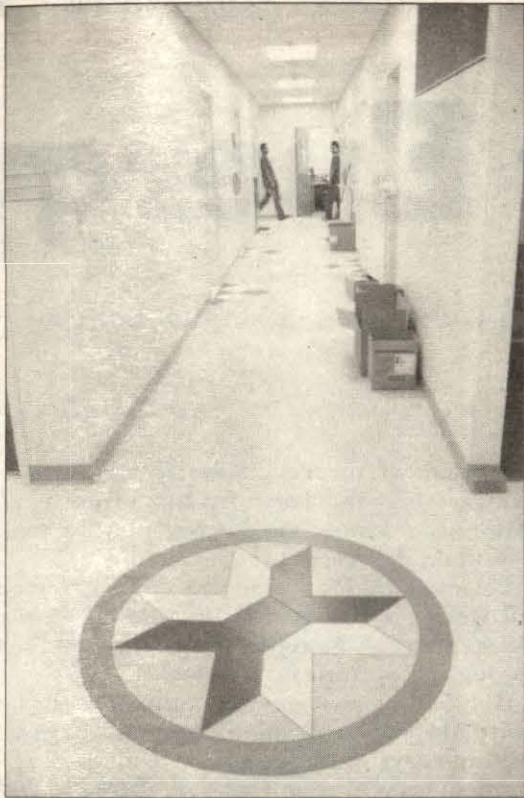
The following morning, during the second hour of his dialysis, the process would need to be interrupted. An X-ray technician arrived at Small's cubicle with a wheelchair. It was time to take him for a CAT scan, to try to figure out why Small kept having chest pains. If the test results came back abnormal, Small says, he would have to go to Great Falls and have a stent put in his heart. He would

later learn, however, that the chest pains were merely the result of an anxiety attack.

After the tests were complete, it was back to dialysis. The process would take about 30 minutes longer today, because now the machine would need to pump the dyes used for the scan out of his system. Small says doctors told him he would stay in the hospital for a couple of nights, so if anything were to happen he would already be in Havre.

Small is quiet at first, but chooses to forego his usual television watching in order to visit. It isn't long before he is telling stories and poking fun at his nurses, Alayne Bickford and Doug Braun, a man he affectionately calls "Dougy Doug." As Small smiles, his brown eyes hiding from behind glasses form into tiny slits, dropping at the outer corners. His full lips open slightly and reveal pink gums in a mouth vacant of teeth, not uncommon in people with diabetes.

The most difficult thing for Small throughout



Left: Rocky Boy's opened a new health clinic in Box Elder on March 28. Called the Na-Toose Clinic, it is named after a late medicine man. At 56,000 square feet, the clinic is twice the size of the old clinic. **Right:** Small sits in a wheelchair as he is pushed to a room to undergo an X-ray of his chest. He's had diabetes for 17 years and the disease has progressively gotten worse over the last few years. The disease has resulted in him having three of his toes removed.

diabetes has been his adjustment to a different diet. There aren't many fruits diabetics can eat, and Small particularly misses bananas. He says he didn't eat well before his diagnosis.

"I used to eat a lot of heavy stuff, like chips and fast food," he says.

Small says his health has gone downhill since 2000. Small also relies on friends and his faith to get him through, and goes to church regularly.

"I pray to God to help me with this," he says.

Small handles his disease with a warrior's bravery and optimism that he will one day defeat his diabetes before the disease defeats him. It may have taken a toll on his body, but he has not allowed it to control his mind: He strongly believes he'll get better.

Small wants that more than anything, but for selfless reasons. He wants to tell his story in hopes of preventing more people from being diagnosed with the disease that has plagued him for 17 years.

"I've got two people that are going to be helping me make a brochure of myself to make copies to send to different reservations," he says. "I want to go from college to college, reservation to reservation, and talk about my diabetes and my dialysis."

People on Rocky Boy's are already focusing on prevention. The Wellness Center, which opened in February 2006, was designed partly with diabetes prevention in mind.

"Diabetes is so devastating," Eagleman says. "It's sad actually; I mean it's preventable. I would hope

that we get our people who are diabetics or potential diabetics over to our Wellness Center so that they could exercise."

Next to the new clinic, in the Wellness Center, a basketball tournament is getting under way. Kids in kindergarten to second grade fill the court, teams of boys and girls bouncing basketballs. One team wears neon-green jerseys, the other blue.

Mike Sangrey, director of the Wellness Center, will be refereeing the game, although he's mostly cheering them on. He gives one of the girls on the blue team a high-five after she makes a basket during warm-ups. Parents who have come to watch fill the bleachers, and people laugh as the kids run

people in their teens and 20s.

"I'd rather that we do a preventative-type health approach and get more people exercising," Eagleman says. "That's the whole intent of the Wellness Center. That's kind of our focus for the future."

The facility offers numerous activities in order to keep kids active instead of sitting on the couch playing video games.

"What we need to do is start concentrating on these young kids," Windy Boy says.

The facility is complete with a fitness center, Olympic-sized swimming pool, saunas and courts to provide people

of all ages on Rocky Boy's a place to stay in shape. The Wellness Center also has a staff that specializes in diabetes prevention, complete with nutritionists who offer advice on fitness and healthy diets. They also organize programs where people can come have their blood tested.

"It's saved some people," Sangrey says.

Perhaps programs like these can prevent diabetes from becoming a much bigger problem than it already is. But for people like Small, it is too late.

"I'll be going through this the rest of my life," Small says. "At least until they find a kidney donor."

Despite recent improvements at Rocky Boy's, Windy Boy says health care is still a work in progress.

"Rome wasn't built in a day," he says, "and Rocky Boy's wasn't built in a day neither." ▲ ▲ ▲

"I'd rather that we do a preventative-type health approach and get more people exercising."

- Brian Eagleman, vice chairman, Rocky Boy's Health Board

around with the ball, forgetting to dribble. But it's OK to travel — what matters is that the kids are moving. The tournament was organized with less emphasis on the fundamentals of the game, and more emphasis on exercise. Childhood obesity is one of the factors that can lead to diabetes later in life, and Rocky Boy's has started to see an influx of diabetes in the younger population, striking

Redirecting Their Energy

An Indian firm hopes to supplant the BIA's role in leasing lands for energy exploration

H Story by Alex Sakariassen Photography by Russel Daniels

Hemi-44 vibrator trucks thunder across the dry prairie grass of Fort Belknap Reservation in northcentral Montana, two boxy behemoths on tractor tires. Each lumbers to a halt, and the lead truck lowers a tabletop-sized metal plate to the ground from a hydraulic vibrator mounted in its middle, sending seismic pulses into the earth.

A few miles down U.S. Highway 2, between Fort Belknap Agency and Dodson, the thrum of native drums and throaty vocals of three young tribal singers shift the dirt underfoot. The round-dance music is symbolic of a culture that some tribal members say is being neglected.

The vibe trucks belong to Polaris, a Canadian company hired by the Bureau of Indian Affairs to map a path for nine new natural gas pipelines in the northwestern sector of the reservation.

The round-dance group is led by Nakoa HeavyRunner, a key player in an Indian-operated oil company on Fort Belknap hoping to take the lead in energy exploration on this 650,000-acre reservation.

Each represents two competing entities working to plot a course for oil and natural gas development in Indian Country.

"We're getting criticized and we're getting chastised by the bureau for getting into their business, but that's their problem," says Donovan Archambault Sr., vice president of First Nation Petroleum LLC.

First Nation is a fledging oil company based in Lodgepole, a small town near the southeastern corner of Fort Belknap defined mainly by a scattering of buildings. Since its creation, First Nation has been vying with the BIA at the local level to fulfill what it considers its responsibility to the native people on Fort Belknap Reservation.

Though employees of the BIA say the federal agency has no quarrel with First Nation, critics say the BIA is continuing a long tradition of being an obstacle in the path toward full tribal sovereignty. "The bureau ... is something that's 100 years past its time," Archambault says.

An hour drive northwest of Lodgepole, in Fort Belknap Agency, Grant Stafne, the deputy super-

intendent of the Fort Belknap BIA office, leans dangerously far back in his office chair. He patiently outlines the history of mineral exploration on the reservation.

Between the 1950s and the 1980s, seven or eight oil wells around Fort Belknap were drilled and later capped. Apparently the deposits weren't large enough to warrant production efforts.

But, Stafne says, energy companies at the time were focused solely on oil, not natural gas.

Stafne says the recent wave of interest in development grew almost overnight, between 2001 and 2003. Hoping to fulfill its role as trustee of tribal members' lands and bring a wave of economic development to Fort Belknap, the BIA held its first mineral auction in November 2005.

Five oil companies bid for leases on lands held in trust by the BIA. One well was drilled near the northern border of the reservation last November. The Polaris seismic crew blazed trails for nine natural gas pipelines in the northwestern corner of Fort Belknap this spring for \$600 to \$900 a mile. And on April 24, the BIA hosted a second auction.

"We're hitting the rest of the reservation as well as the tribal tracts," Stafne says. Between 85 and 90 percent of land on the reservation is held in trust by the BIA.

Unlike the auction in 2005, the auction in April brought to the table land owned by the tribe, and not just individual tribal members. According to Peggy Doney, tribal natural resources director, the tribe had advertised its minerals in past oil and natural gas expos, but with no success. Consequently, the Fort Belknap Tribal Council reached out to the BIA for assistance in advertising and auctioning tribal lands.

"Personally, I would promote collaboration with the BIA as long as ... we remain cognizant of the fact that we are both here for the enrolled members and their benefit," says Fort Belknap Tribal President Julia Doney, who prefers her last name not be capitalized.

Aside from the profits future production could bring, mineral development holds the promise of at least some jobs on a reservation plagued by unemployment. In the latest statistics available, the BIA calculated a 70 percent unemployment rate on the reservation. And among those who are employed, 9 percent have incomes below the poverty level.

"They (oil companies) have to hire enrolled members for any qualified jobs they have," says Doney.

This requirement stems from the Tribal



These Hemi-44 vibrator trucks traveled the 60 miles of potential gas pipeline sites, stopping every 50 feet to lower a tabletop-sized vibrator and send shockwaves into the ground.



Joel Fish, 21, far left, Nakoa HeavyRunner, 27, and Donovan Archambault Jr., 24, rehearse and record their round-dance songs in a modest home studio on the Fort Belknap Reservation. HeavyRunner records and produces traditional powwow and round-dance songs for American Indian musicians on many reservations. HeavyRunner is also the land and lease manager for First Nation Petroleum, the oil exploration company he helped found.

Employment Rights Office ordinance, created to protect the employment interests of enrolled tribal members. But employment isn't the only aspect of the reservation that the tribal council is concerned about protecting. A history of exploitation has made the Gros Ventre and Assiniboine peoples of Fort Belknap sensitive to abuses of their land.

In the 1890s, prospectors discovered gold in the Little Rocky Mountains inside the southern border of the reservation. Though it was on tribal land, BIA agents found it impossible to keep prospectors off the reservation and asked the tribes to sell a strip of land seven miles long and four miles wide, arguing that the Indians didn't have the capacity to mine the gold. The tribes balked, but finally agreed in 1895 to sign the Grinnell Treaty that gave them \$360,000 for the land that held the gold.

Gold mining continued, but large-scale efforts didn't begin until the 1970s when Pegasus Gold dug the nation's first large open-pit cyanide heap leach mine at Zortman-Landusky. Their operations ultimately leveled a mountain and poisoned the surrounding land. Today the mine sits like a

brown blister in the center of a lush mountain range. Water from the mine that reaches the reservation will need treatment in perpetuity.

"I know in previous councils they've chose not to develop any oil or gas exploration because it could damage the lands, and it came about the time of the Zortman-Landusky mines," doney says.

With a history of ecological disaster on Fort Belknap, the tribal council is wary of the environmental impacts of modern oil and natural gas pursuits. But Vice President Raymond Chandler says the council is confident enough in current development practices to put the tribe's land up for auction.

"They made quite a leap in how they used to do things ... how they used to just go and dynamite something regardless of if there was any historical significance to the land," he says.

Back in Lodgepole, the effects of poor decision-making on the mineral development front are an everyday reality. The home of Loren Lewis, HeavyRunner's uncle and president of First Nation, is nestled in the bluffs just north of the Little Rocky Mountains. A large window in the First Nation office looks south, where an ugly tan

hump marks the site of the former Zortman mine. No one visiting First Nation can overlook the catastrophe.

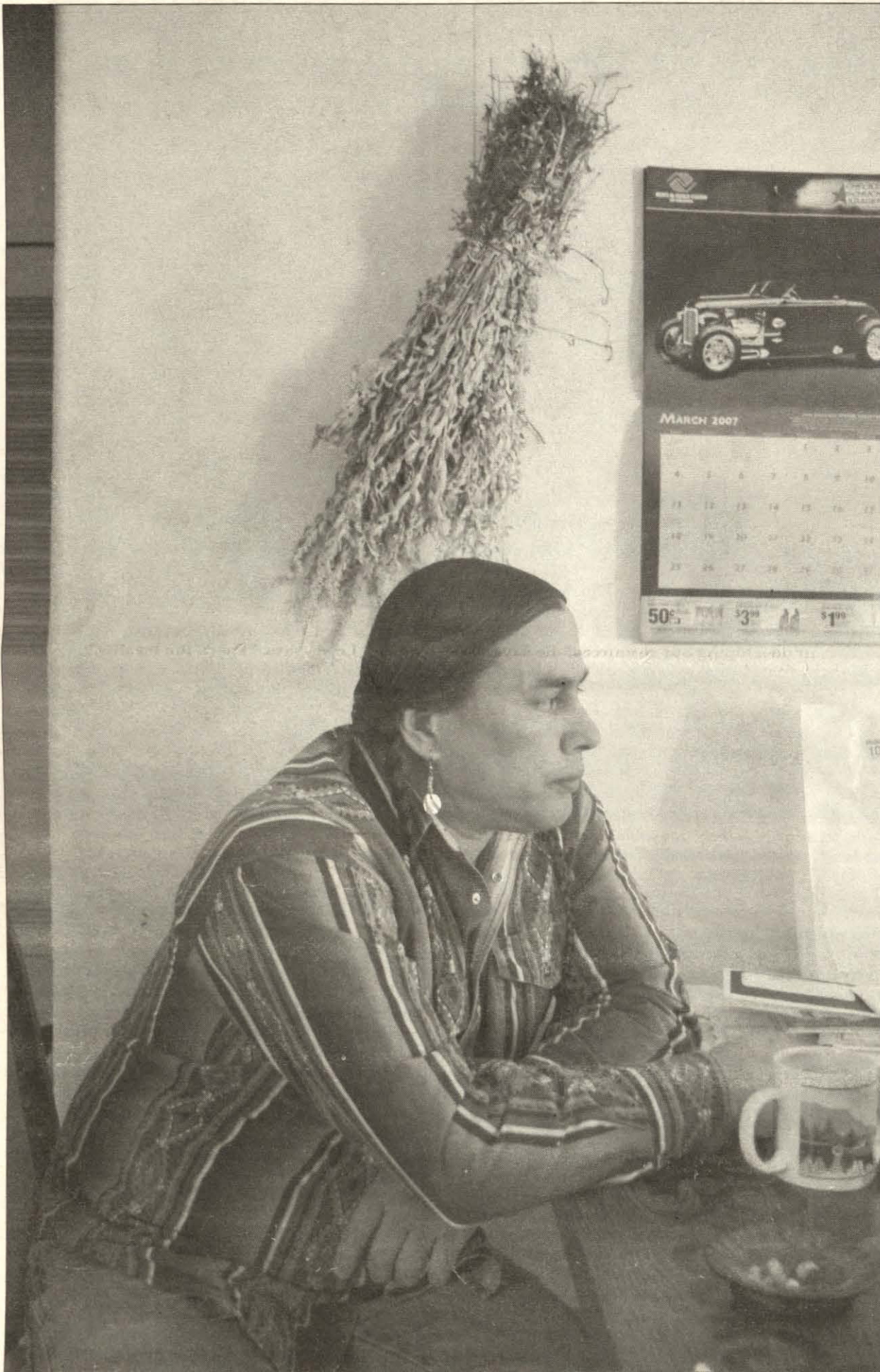
"They took the damn mountains, wrecked them, tore them down," Archambault says. "All we wanted them for was 'cause they were nature."

Lewis says his company wants to do more than just make money.

"We have a vision or a philosophy that we want to try to take some of that money and put it back into the language," he says. "As nations here in Montana, we're dying, as far as our language goes."

His company is working out a formula with its partner firm, Neo Exploration Inc. of Calgary, as to a percent of profit that can be put aside for a language center.

Lewis runs First Nation out of his home in Lodgepole with the help of his brother-in-law, Archambault. A middle-aged member of the Assiniboine tribe with a brightly colored pearl-snap shirt and twin jet-black braids, Lewis speaks in an authoritative tone on matters of the land and the people. He is a spiritual leader on the reservation, working as a Sundance maker in the Sundance ceremony, and hopes to use >>>



Loren Lewis, president of First Nation Petroleum, sits in his home and office in Lodgepole. Behind him is a bundle of white sage collected from the Fort Belknap Reservation.

modern development to preserve the dwindling traditions of his culture.

"If we can bring a generation, a young generation up speaking the language, then I've accomplished my goal," Lewis says.

First Nation Petroleum officially got off the ground in November 2006, when Lewis and HeavyRunner traveled to Calgary to negotiate a partnership with Neo Exploration, which has interests in Canada and northern Montana.

The president of Neo Exploration, Roger Baker, says he admires Lewis' goal of trying to build a language center using money from mineral development, and appreciates Lewis' enthusiasm despite his lack of experience in petroleum.

"I think that's a terrific goal," Baker says.

Neo Exploration is acting as First Nation Petroleum's financier. It has fronted all the money necessary to build Lewis' office and outfit the company's members with pickup trucks. The two companies remain in constant contact, building more than just a working partnership.

"We have a good relationship and a good friendship with them," Baker says.

Lewis says First Nation has already obtained lease agreements from several trust landowners. The company is also entertaining offers to work with other reservations, including the Wind River Reservation in Wyoming.

Archambault says First Nation's leases guarantee landowners 17 percent of the profits of production, money that will be deposited into the owner's Individual Indian Money accounts. First Nation will receive 8 percent, and Lewis is currently working with Neo Exploration to negotiate the percentage that will be held for the language center.

"This thing we're trying to do is something we think will help lots of other people, not just us," Archambault says.

At 68, Archambault is 21 years Lewis' senior. He is short and his hair is gray but his stature is hard as a rock, due to a lifestyle that he says comes from 31 months of boxing in the Army throughout Europe in the early 1960s. In his spare time he carves pipestone pipes and pipe stems, which he gives as gifts or sells.

"We're artists," he says. "Every Indian I know is an artist."

Both Archambault and his father worked for the BIA and Archambault was a member of the Tribal Council from 1990 to 1991. To him, there are really only two resources to be developed on Fort Belknap.

"We need to figure out how we're going to develop our resources," he says, "our natural resources — our people — and our land."

Archambault says his family has lived on and worked the same plot of land since the early 20th century. He left in the 1950s to pursue an education in forestry in North Dakota. He returned in the late 1970s after taking what he calls the "long way around" to reach his dream of developing his family's land.

"I'd already walked this fence," he says. "I knew it all."

The BIA holds in trust about 666,000 surface acres, some off the reservation, for the enrolled members on Fort Belknap. In addition, the agency



has trust responsibility for 47,938 mineral acres. And according to a mineral development pamphlet released by Peggy Doney, "Fort Belknap is a prime opportunity for shallow-well natural gas development."

But few pipelines exist on or near the reservation, something that Stafne says the BIA is working to change.

"Right now, the closest pipeline to the reservation is right north of Harlem, which is a couple miles away from here," he says.

Results of the 2005 BIA auction are already tangible. The seismic crew from Polaris spent nearly two weeks in March testing ground density and petroleum deposits through the use of high-tech equipment, like the vibe trucks. All the data collected from their efforts are used to map the best path for nine new pipelines, which will crisscross each other through the northwestern section of the reservation near Fort Belknap Agency.

Todd Walton, Polaris recording crew manager, says that the crew covered 60 miles of pipeline on Fort Belknap, operators Manuel Robles and Ronnie Reyes stopping the vibe trucks every 50 feet to shoot shockwaves into the ground.

The small camper-style vehicle that serves as the crew's recording outpost sits on a hill in the distance, orange cables plugged into its side trailing off in all directions like endless extension cords. Inside this lonely outpost, observer John Abbott hunches in front of three flashing computer screens and two laptops, monitoring the incoming data. For this crew, natural gas development is a nonstop job.

"There's times when we work 100 days straight," Walton says.

Despite the BIA's strides in mineral development since 2005, Archambault seriously doubts the bureau's ability to function for the betterment of tribal members, firing off a quip that BIA officers "don't know whether they're on foot or horseback."

For example, he says he recently received a bill for \$1,270.95 from the BIA for water charges on a leased tract of land. He chuckles as he explains that he cancelled the lease in 1995.

"I don't know who's been using that all these years," Archambault says. "This is the first one I got since then."

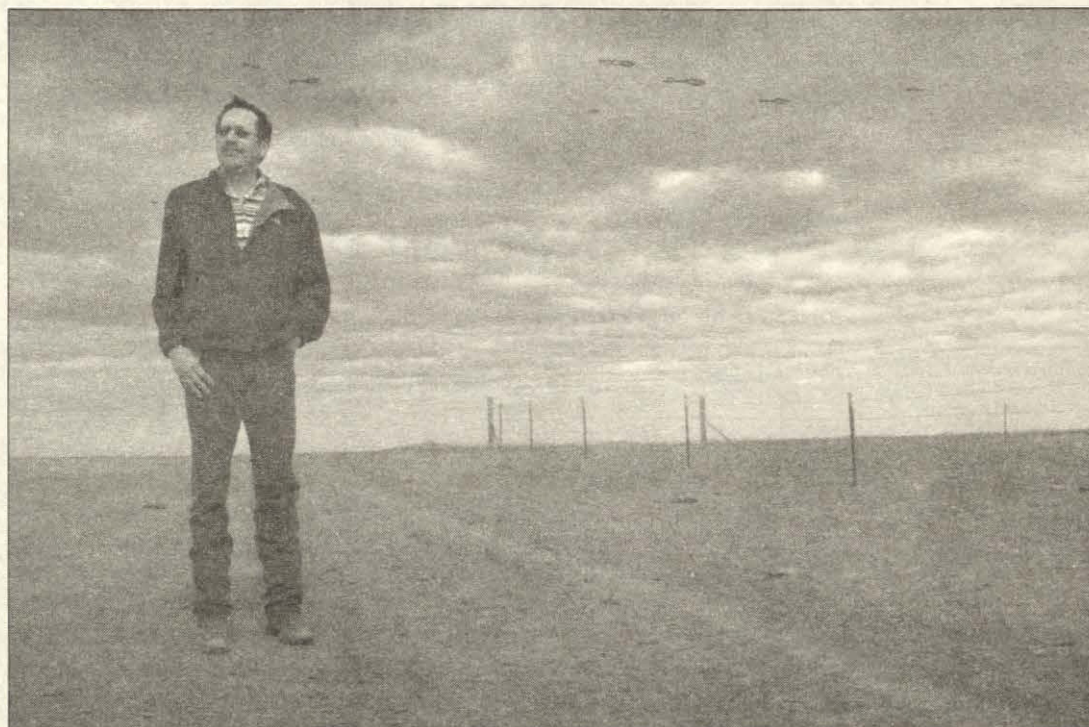
Archambault says he took the bill to the BIA office to sort out the matter. Records show he had cancelled the lease in 1995, but the BIA has no idea who is leasing the land now, he says.

"They've become an albatross to us as people who have gone to school and came back and tried to help," he says.

Even Chandler, who supports working with the BIA on oil and natural gas development, says the BIA continues a tradition of standing between the tribe and its status as an independent nation.

"We're trying to exercise our sovereign government and it seems like a losing battle sometimes," he says.

Rounding out the trio at First Nation Petroleum is HeavyRunner, land/lease manager and Archambault's son. A mixture of the new and the old, the 27-year-old dresses in baggy jeans and a white tank top and totes a traditional rawhide frame drum branded with the name "Brown Sugar."



Grant Stafne, deputy superintendent of the BIA on the Fort Belknap Reservation, stands near the first oil and gas test well drilled after the 2005 BIA auction.

Like the rest of his family, HeavyRunner says he wants to make sure his people get what's coming to them, which is why he helped Lewis reach out to Neo Exploration.

"We told them that we wanted to be an active partner in developing our resources," he says. "We told them that these are our people."

HeavyRunner is a singer, a drummer and an enrolled member on both Fort Belknap and the Blackfeet Reservation. He jokes that he's a "rock star" on reservation radio stations throughout the Pacific Northwest. His round-dance music, recorded in a modest home studio called Eagle Calf Records, captures the rhythmic traditions of his people in digital form for preservation and dissemination across the nation's reservations.

"My CDs have got even clear up in British Columbia, and I ain't never been up there," HeavyRunner says.

Of the three principal players in First Nation, HeavyRunner speaks the least about the BIA. He hasn't had the long experience — or many frustrations — that Lewis or Archambault cite.

Senior BIA officials emphasize, however, that they are trying only to fulfill their jobs as trustees of Indian lands. They aren't trying to snuff out reservation entrepreneurship, but are merely seeking to offer tribal members a variety of choices when energy is developed.

"We don't have a problem with you (tribal members) dealing with them (First Nation)," says Darryl LaCounte, assistant area director with the BIA's regional office in Billings. "But we're going to advertise to explore what the market has to offer."

LaCounte says the bureau's goal in advertising mineral tracts across the reservation is to hunt down the best deal possible for landowners, then lay out the choices for each individual.

"That doesn't commit a piece of land to a lease," he says.

In the end, the final say on which oil companies will pursue development on which tracts of land

belongs to the owner. First Nation and the BIA are in agreement on that point.

"If all the tribal members wanted First Nation to develop their lands, there's nothing that the tribe or the BIA can really say because it's individual choice," Lewis says. "That's the legality."

But Lewis claims that hasn't stopped the BIA office at Fort Belknap from trying. He says he's heard from several individuals on Fort Belknap who have been approached by BIA employees and asked to sign papers stating they will not lease their trust lands to First Nation Petroleum. A senior official at the Fort Belknap BIA office, who refused to be identified, denied the accusation.

Lewis says the landowners who have chosen to work with First Nation Petroleum believe they can trust a neighborhood oil company more than one from off the reservation.

"I think we present ourselves as a security blanket for our tribal members so we don't get ripped off," he says.

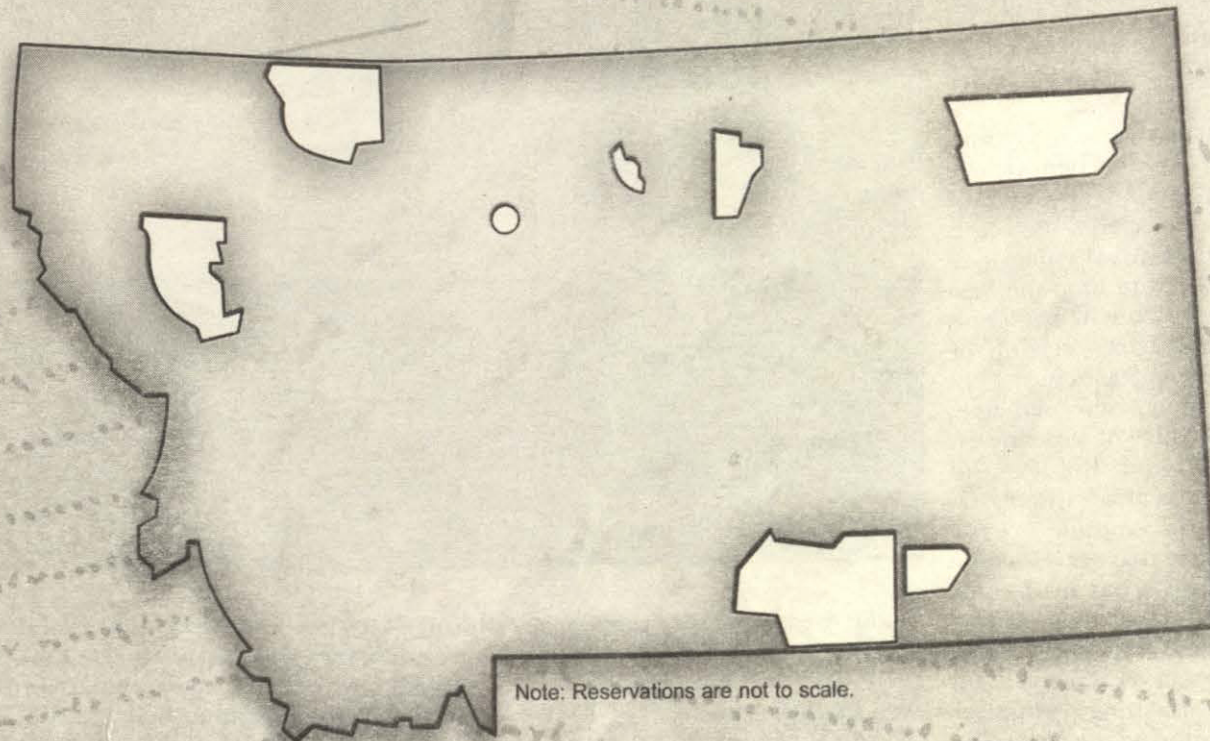
First Nation Petroleum is rolling steadily along with the confidence of its partner company, Neo Exploration. Lewis and Archambault say they'll have their first test well drilled by May, though that's a goal Neo Exploration's Baker calls unrealistic. Conceding that although Lewis and Archambault are a bit eager, Baker says they're learning the ropes of the oil industry quite quickly.

"We stumbled on a very fantastic group to sort of act as our partners," he says.

For Lewis, Archambault and HeavyRunner, First Nation is a chance to operate a successful company and also fulfill their obligation as tribal members to the preservation of their heritage. Carrying the tribe into the future requires initiative, and history has shown that such initiative doesn't typically come from government offices, Lewis says.

"We have to crawl out of the system," he says. "And I don't really foresee the BIA or the tribe ever taking a major step in that direction anytime soon." ▲ ▲ ▲

MONTANA'S TRIBAL NATIONS



Note: Reservations are not to scale.

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