



MAY 1, 2018

Soboba Indian Reporter

Happy
Mother's
Day!



SOBOBA INDIAN REPORTER: ERNIE C. SALGADO JR., PUBLISHER/EDITOR



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Soboba Tribal Council: Seated Left to right—Kelli Hurtado, Rose Salgado and Monica Herrita. Standing— Isaiah Vivanco, Vice Chairman and Scott Cozart, Chairman.



A WORD FROM ERNIE

The newspaper will be e-mailed to all tribal members for whom we have current e-mail addresses. Printed copies will be distributed at the Soboba Tribal Administration Office.

At this time we are not able to mail copies of the Soboba Indian Reporter to the Soboba Tribal Members due to the high cost.

We are in the process of seeking a bulk rate from the U.S. Postal Service that hopefully will allow us to sent the paper by U.S. mail.

We will also need the approval of the Tribal

General Membership to allow us to get the tribal mailing list from the Tribal Council.

There are a lot of tribal issues that the tribal members need to be better informed about.

We will provide the tribal members with a fair and accurate report on the issues based on the facts.

The My View/Your View section will continue to be of special interest.

Your Views and your news are more than welcome.

Ernie C. Salgado Jr.

MONSTER VOTER TURNOUT

"It was a record breaking turnout." Election judge, Marian Chacon told the Soboba Indian Reporter. *"We had 328 people vote on Saturday (April 7, 2018) and a total of 431 voting."* She added.

Considering that for the past few years many of the annual tribal election had to be re-held because the required 30 percent of the general membership of the tribe to vote for the election to be valid.

Scott Cozart was re-elected since he was unopposed. Ironically over 100 or 25%of the voters either voted for themselves, someone else as writers or didn't vote.

Incumbents, Rose Salgado with

223 and Kelli Hurtado 166 were the big vote-getter with the five challengers garnished from 31 to 132 votes.

Three tribal members contested for two seats on the Noli school board. Geneva Mojado with 341 votes and Antonia Venegas with 312 were elected. Adela Basquez Kolb received 140 votes.

The Enrollment Statues was approved by a vote of 232 to 199. The Enrollment Statues is still the center of concern by many of the tribal members.

The Tribal Council may need to exercise their Tribal Constitutional authority by either appointing an enrollment committee or assume the responsibility

of evaluating the decisions of the committee.

Many tribal members fear a *"Disenrollment Witch Hunt."* For example, one of the new statues states that any tribal member that can be proven to have been enrolled in another tribe shall be dis-enrolled.

The question is why was this statue is needed when the original language in the Tribal Constitution already addresses this issue, stating: *"No person that is or has been enrolled in another tribe shall not be enrolled..."*

Is the enrollment committee planning on reviewing the decisions of former tribal enrollment committees or Councils.

Soboba Elders On The Road Again

"On-The-Road-Again" as the ole Willie Nelson tune hails, many Soboba Elders with passports in hand are visiting Nigeria Fall on both the New York and Canadian sides.

Fair warning, be prepared for a lots of photos, videos and tall tails at the next Elders meeting scheduled for May 15, at the Soboba Tribal Hall.

We will also help them share their photos and fables of their adventures in the June 2018 edition of the Soboba Indian Reporter.

All kidding aside it is absolutely fantastic that the tribe is able to provide the Tribal Elders with the opportunity to travel as a group to visit places they would not otherwise visit.

We will be dedication time and space for the on going activities of the Soboba Elders in the Soboba Indian Reporter.

We hope that in the future some of the Elders would share some of their stories and photos with us.



Soboba Opens Credit Union

The Soboba Tribal business opportunities Council recently approved the opened of a Tribal Credit Union on the Reservation.

The establishment of a credit union is 20-years in the making since the mindset was to own and operate the credit union internally.

While the reality is that it's more difficult to gain certification for a credit union than it is for a bank. And why reinvent the wheel?

But then again it seems that it is part of the tribal growing process to come to terms with some of these basic business concepts.

I'm taking in general terms as I have witnessed this over the year with almost all the tribes. Some just get it quicker than others.

Although there are many

for the tribe the management of a financial is not one of them.

But, in my humble opinion this is a good business decision for the tribe. Why? Because it will generate a fair return on the investment for the tribe.

Again Why? Because a well managed credit union will grows which in turn will generate profit. And it will prosper given it's success at Morongo,

At this time the Soboba Indian Reporter does not have any information as to the company managing the credit union nor the services it will be providing.

However, we will have a full report for you in the June edition of the Soboba Indian Reporter.



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Want Results call Dione

Summer is Here — School is Out

School will be letting out for the summer the end of this month for some and June. We would like to list all the high school graduates at a minimum in the June issue.

A lot of the high school graduates will be going to different colleges and universities in the fall. We would also like to share this news with the folks.

We also have as lot of youngsters attending col-

leges and universities around the country and some are receiving their AA, AS, BA, BS, MA, MS or PhD's.

This good news would be great to share with the rest of the tribal members. Some of us would even like to send them a card telling them how proud we are of them.

My number is listed below so just give me a call and give me the facts.

DISCLAIMER: By Ernie C. Salgado Jr.: The *Soboba Indian Reporter* is based strictly on my humble opinion of the numerous tribal matters and issues. It is not intended to represent the views or positions of the Soboba Tribal Council or any individual member of the Council other than my own.

The primary purpose of this newspaper is to provide information to the general membership of the Soboba Band of Luiseno Indians. As a private and personel newspaper it will be distributed at my own expense by U.S. mail, e mail and my websites. Any reproduction or posting of any data herein in any form or social media is strictly prohibited unless authorized and any violation will be subject to legal action.





SOUTHERN CALIFORNIA

AMERICAN INDIAN RESERVATIONS

- ♦ Auga Caliente Band of Cahuilla Indians
- ♦ Augustine Band of Cahuilla Indians
- ♦ Barona Band of Mission Indians
- ♦ Cabazon Band of Mission Indians
- ♦ Cahuilla Band of Cahuilla Mission Indians
- ♦ Campo Band of Kumeyaay Indians
- ♦ Chemehuevi Indian Tribe
- ♦ Ewiiapaayp Band of Kumeyaay Indians
- ♦ Iipay Kumeyaay Nation of Santa Ysabel
- ♦ Inaja-Cosmit Band of Kumeyaay Indians
- ♦ Jamul Indian Village
- ♦ La Jolla Band of Luiseno Indians
- ♦ La Posta Band of Kumeyaay Indians
- ♦ Los Coyotes Band of Cahuilla Indians
- ♦ Manzanita Band of Kumeyaay Indians
- ♦ Mesa Grande Band of Mission Indians
- ♦ Morongo Band of Mission Indians
- ♦ Pauma Band of Luiseno Indians
- ♦ Pechanga Band of Luiseno Indians
- ♦ Ramona Band of Cahuilla
- ♦ Rincon Band of Luiseno Indians
- ♦ San Manuel Band of Mission Indians
- ♦ San Pasqual Band of Mission Indians
- ♦ Santa Rosa Band of Cahuilla Indians
- ♦ Santa Ynez Band of Chumash Indians
- ♦ Soboba Band of Luiseno Indians
- ♦ Sycuan Band of the Kumeyaay Nation
- ♦ Torres-Martinez Desert Cahuilla Indians
- ♦ Twenty-Nine Palms Band of Indians of California
- ♦ Viejas Band of Kumeyaay Indians

American Indian Reporter

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The American Indian Reporter published its first issue on May 1, 2018. Copies can be picked at the Soboba Tribal Administration Office or at the Clinic.

Sent us your e-mail address and it will be sent to you.

The goal of the American Indian Reporter is to provide the southern California American Indian tribal community with a free monthly publication that has relevant information on a local, state and national level that may have an impact on the tribal community.

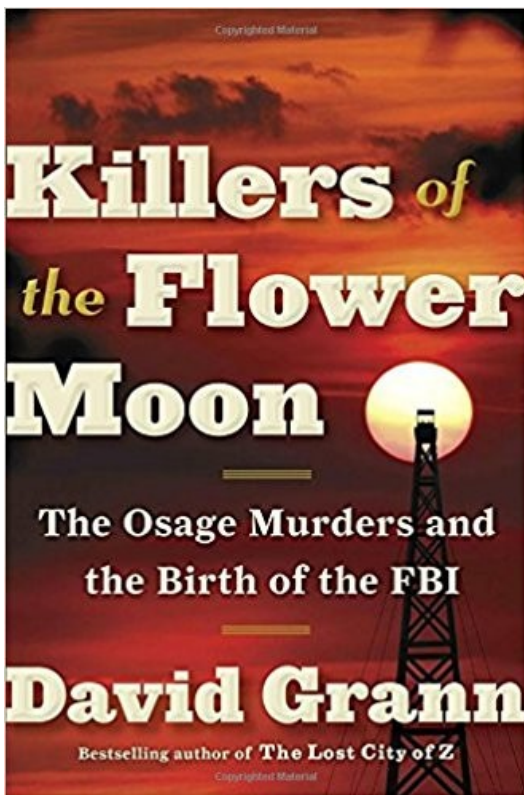
Sowco Time

It May and time to pick your winter supply of "Sowco." The elderberry (Sowco) trees on the reservation are the ones with the bright yellow flowers which is the "Sowco".

When I was growing up on the Rez it was an annual ritual for me, Bobby and Dumbo to pick a tub or two full of the elderberry flowers under the supervision of my grandmother, Eustacia. We would them spread them out on old window screen to dry in the sun. The dried elderberry flowers (Sowco) would be store in quart jars.

The "Sowco" was used for almost everything from a common cold to leg cramps. It was prepared as a tea. The main medicinal ingredient of "Sowco" is quinine.

For centuries quinine has been used the world over for various medical treatments including malaria, common cold and leg cramps.

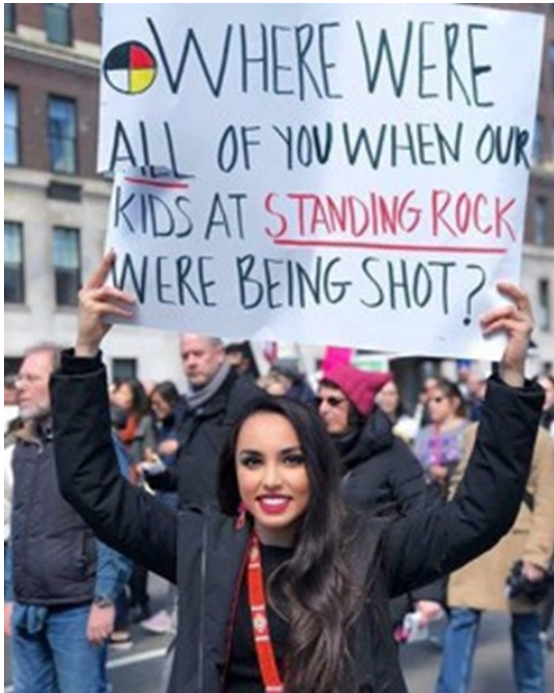
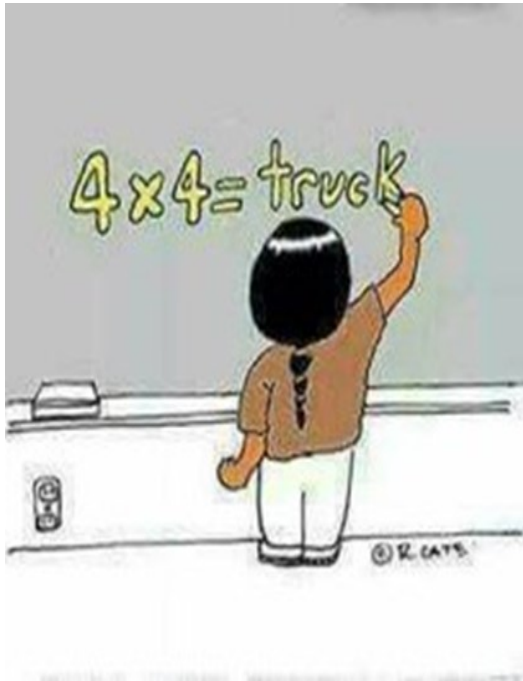


Selection from Shayne Journal #4125 - April 2, 2018

New release, Killers of the Flower Moon is a must read.

The Land of Poison

More than half a century later, the effects of the Cold War-era uranium mining are still killing Indian people at the Navajo Nation.



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Memorial Day Soboba Indian Reservation

Memorial Day is a federal holiday in the United States for remembering the people who died while serving in the country's armed forces. The holiday, which is currently observed every year on the last Monday of May, originated as **Decoration Day** after the American Civil War in 1868, when the Grand Army of the Republic, an organization of Union veterans founded in Decatur, Illinois, established it as a time for the nation to decorate the graves of the Union war dead with flowers.

By the 20th century, competing Union and Confederate holiday traditions, celebrated on different days, had merged, and Memorial Day eventually extended to honor all Americans who died while in the military service. It marks the start of the unofficial summer vacation season, while Labor Day marks its end.

Despite this ongoing lively debate, there is an "official" birthplace. On May 26, 1966, President Lyndon B. Johnson signed the presidential proclamation naming Waterloo, New York, as the holder of the title. This action followed House Concurrent Resolution 587, in which the 89th Congress had officially recognized that the patriotic tradition of observing Memorial Day had begun one hundred years prior in Waterloo, New York. Snopes also regards the Waterloo legend as apocryphal.

At Soboba for over 70 years Memorial Day has been celebrated on the Reservation by placing a small American flags on all the veterans graves at the Soboba Tribal Cemetery.

This tradition was started and maintained by the "Soboba Sisters" Rose Arres, Tilly Valdez, Clara Helms and Virginia "Dean" Badilla. The torch passed to Marian :Valdez" Chacon upon the passing of her mother, Tilly Valdez.

The photograph below was taken around the mid-50's at the Soboba Tribal Cemetery.

Marian Chacon has been teaching her

three nieces, Annette, Johnna and Pam Valdez the Soboba Memorial Day tradition. However, due to her involvement



with the Soboba youth as an Elder Advisor over the past few years she has decided it would be a good idea to share her knowledge of the Soboba Memorial Day Tradition at

the Soboba Tribal Cemetery with the Soboba Youth Group.

Last year Marian led the Soboba Youth Group and many of the adults at the Tribal Cemetery where she supervised them cleaning the veterans graves and the placing of the American flags on the veterans graves.

This year on Memorial Day the Soboba the Soboba Youth with the Soboba Fire Department will join the community gathering for the blessing of the veterans graves and the razing of the flag at the Soboba cemetery..



MIKE SOZA

Not all of the veterans buried at the Soboba Tribal Cemetery are Soboba Tribal Members. However, as part of out Soboba tribal customs, values and traditions we honor and respects all American Indian Warriors and spouses of tribal member Indian and non-Indian. And not all Soboba veterans are not buried at the

SOBOBA TRIBAL MEMBERS KILLED IN ACTION

- ♦ U.S. Army Private First Class, Romaldo A. Helms, Killed in Action Anzio, Italy. (1912-1944)
- ♦ U.S. Army Private, Reginald P. Helms, Killed in Action in Hotten, Belgium (1913-1944),
- ♦ U.S. Navy, Mike Soza (1924-1941)



ROMALDO A. HELMS

Soboba Tribal Cemetery. For example Albert Silvas, World War I veteran, Daniel Silvas Korean veteran are not buried at Soboba. Mike Soza was killed in action during WW II is buried at sea.



REGINALD P. HELMS

Soboba Tribal members have served in the armed forces of the United States in every war and conflict since WW I.

The United States entered the war with the attack on Pearl Harbor, Hawaii on December 7, 1941 ending in May 1945 in Europe and September 2, 1945 with Japan.

WW II officially began in September 1939 with the German invasion of Poland.

It is estimated that over 80 million people were killed during the seven years of WW II. U.S. military records indicate their were 670,846 Americans wounded and 405,399 lost their lives, three of which were Tribal Members of the Soboba Band of Luiseno Indians.

Currently 51 veterans are buried at the Soboba Tribal Cemetery of which 32 were Soboba tribal members, 12 Indians

from other Indian tribes and 7 non-Indian.

World War I Veteran are Prudencio Resvaloso who also served as with the U.S. Calvary as a Scout in Arizona, Danny and David Navarro, Eugene Arenas (Cahuilla), Ben Largo (Cahuilla) and Mariano Largo (Cahuilla).

World War II veterans that are buried at Soboba are brothers, Romaldo "The Boss" and Reginald Helms who were killed in action, Eloy, Frank and William "Willie" Soza (*Their little brother Mike who was killed in action while serving in the Navy in the Pacific Ocean and is buried at sea.*) Ernest Salgado Sr., George Silvas (Soboba/Sioux) and their uncle Frank "Chico" Silvas, Joe "Jody" Silvas, Marcus "Max" Mojado, Joe John Lala, Theodore "T-Bone" and Norbert "Norb" Arres, Mateo "Moot" Apapas, and Carmel "Sallie-Buck" Valenzuela. Leonard and Senon Lubo (Cahuilla), Miguel Briones (Non-Indian), Refugio Garcia (Non-Indian), Pio Morillo (Non-Indian), Richard Macy, (?) and James Navarro (Indian), **Korea Veteran:** Benny Helms Sr., Ralph Arrietta Jr., Leonard Arrietta, Larry "Dee" Boniface, Gloria "Castello" Cozart, Bruce Cozart (Non-Indian), Jesse "Helms" Gilmore, Orvin Gilmore (Non-Indian), Robert "Buggie" Bentiste, Tiefertelo Lugo, Fred "Pinkie" Miranda (Pechanga) Peter Morillo (Non-Indian), Mariano Torte (Santa Rosa) Clifford "Tippy" Brittan (Pala) and Andrew Jackson (Pomo).

Vietnam Veterans: Peter Felix "Boy" Castello, Allynn Silvas, Martin Hurtado, Phillip "Woody" Rodriguez (La Jolla) and Arthur R. Lopez Sr. (Torres Martinez)

Cold War Veterans: Daniel Arres, John Vincent "Dugger" Valdez, Paul Resvaloso Sr., Robert "Bobby" Arrietta, and James "Jimmy" Walker (Pima/ Pechanga).

***During WWII a Gold Star** was awarded to the mothers of those killed in combat. Mrs. Helms lost two son therefore was given two Gold Stars.

Mrs. Rose Soza the mother of Mike Soza was also a Gold Star mother.

(The photographs of Mike Soza, Romaldo and Reginald Helms and "Cemetery" are courtesy of the Soboba Band of Luiseno Indians.)



From L-R: Tilly Valdez, Mrs. Chacon (Marian Chacon's mother-in-law), Rose Arres, seated is *double Gold Star mother, Mrs. Maria "PeeWee" Helms the mother of Romaldo and Reginald Helms,

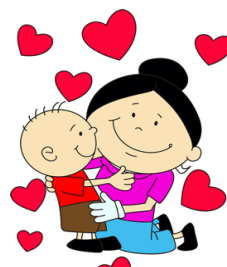


Soboba Youth Group and tribal elders and adults join forces to clean the Tribal Cemetery and place miniature American Flags on all the Veterans graves. Marian Chacon provided the supervision and the locations of all the veterans graves.



May 1, 2018

Soboba Indian Reporter



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**Happy
Mother's
Day!**



Ernie C. Salgado Jr.

My View—Your View

AMERICAN INDIANS SECOND CLASS CITIZENS BY CHOICE

I told myself not to write this article but sometimes I just can't help myself. I guess I'm like the bug in the movie "Bugs Life" when he was told don't look at the lights and as he looked at the light he said "I can't help it." So since I can't help myself I am going to expose this can of worms.

What is pathetic is that non-American citizens seem to get more protections from the Constitution of the United State of America than the American Indian tribal people. In fact last year a Federal Court judge in Hawaii ruled that the Trump travel ban was not legal because it violated the Civil Rights of the non-citizens. And if that's not bad enough the Supreme Court ruled that the U.S. forces in combat fighting the Islamic extremist must read them their Miranda Rights.

Sure the United States Congress passed the **Indian Civil Rights Act in 1968 (H.R. 2516)** stating "The Indian Civil Rights Act of 1968 (ICRA) applies to the Indian tribes of the United States **and makes many, but not all**, of the guarantees of the **Bill of Rights** applicable within the tribes. The legislation also addressed the crises of domestic violence that pledge the American Indian community.

The Act appears today in Title 25, sections 1301 to 1303 of the United States Code. The "**and makes many, but not all**," is troublesome and were not defied.

The US Supreme Court had made clear that tribal internal affairs concerning tribal members' individual rights were not covered by the Fifth Amendment to the US constitution. However, the tribes were ultimately subjected to the power of Congress and the Constitution. The court case **Talton v Mayes** helped establish the principles.

In the 1960s, Congress held a series of hearings on the subject of the authority of tribal governments. These hearings told about the abuses that many tribal members had endured from the "sometimes corrupt, incompetent, or tyrannical tribal officials." In response, the Indian Civil Rights Act was enacted.

There were other court cases over the following years to continue the thoughts "*that tribes were not arms of the federal government when punishing tribal members for criminal acts and that Indian tribes were exempt from many of the constitutional protections governing the actions of state and federal governments.*"

However, in 1978 the Supreme Court totally destroyed the Indian Civil Rights Act of 1968 by its decision in the **Santa Clara Pueblo v. Martinez** court case (1978). *Martinez* involved a request to stop denying tribal membership to those children born to female (not male) tribal members who married outside of the tribe. The mother who brought the case pleaded that the discrimination against her child was solely based on sex, which violated the ICRA.

The Supreme Court decided that "**Tribal common-law sovereign immunity prevented a suit against the tribe.**" The courts decision in the **Santa Clara Pueblo v. Martinez** ultimately strengthened tribal self-determination by further proving that generally, the federal government played no enforcement role over the tribal governments.

In my humble opinion the court got it wrong. In simple language it said the Federal Courts have no jurisdiction over the

Tribal Governments with regards to the enforcement of the Civil Rights of the tribal members. Except it did provide for oversight by the courts for any tribal member that may have been detained. However, the Court did not make it clear if "**detained**" includes Federal, State or County facilities. It also failed to address the issue of domestic violence.

Forget the findings of the hearing in the early sixties. Forget that the individual tribal member is an American citizen and entitled to the protection of the Constitution of the United States of America.

It is without question that I totally support Tribal Sovereignty but I also support the individual rights of the tribal members. Remember I'm a Federation Indian and in their Constitution they identify the rights of the individual as well and the sovereign rights of the tribe.

However, there is hope as the individual tribes have the option of approval of the Civil Rights Act to insure that the of the individual tribal members are not violated.

But, Good luck with that! Only a handful of tribes in the Nation have approved this oversight.

Soboba as well as many other tribes have continued to violate the Civil Rights of their members. The most often violation is "Excessive Fines" and "Double

Jeopardy" imposed on the individual tribal members.

While the Indian Civil Rights Act prohibits excessive fines for violation in the amount not to exceed what the infraction would cost in the local courts and a maximum of \$5,000. The Soboba Tribal Council regularly fines its members for minor violation in excess of the maximum amount of \$5,000 to over \$50,000. And in some cases much more.

The taking of the individual tribal per capita is by any definition a fine. The General Membership is also guilty of the abuse of individual tribal members by both excessive fines and double jeopardy. And most times these excesses are based on politics as opposed to the violation.

Again, in my humble opinion the Court got it wrong. I fail to see how the decision of the Court enhances self-determination nor do I see how "*the federal government played no enforcement role over the tribal governments*" While the federal government taxes the individual tribal members, established regulations and oversight for tribal gaming and allows State governments to enforce State laws via P.L. 280.

I am not implying that the current Tribal Council is going to move beyond the current Civil Rights violation of "Excessive Fines" and "Double Jeopardy". And we don't know what the future holds.

I believe it is time for the Soboba people to vote and pass the Indian Civil Rights Act for their own protection if for no other reason.

Tribal members should be allowed to have the protection of the Federal Courts.

The individual rights of the tribal members are as sacred as the sovereignty of the tribe.

THE INDIAN CIVIL RIGHTS ACT OF 1968

No Indian tribe in exercising powers of self-government shall –

1. make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances;
2. violate the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, nor issue warrants, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or thing to be seized;
3. subject any person for the same offense to be **twice put in jeopardy**;
4. compel any person in any criminal case to be a witness against himself;
5. take any private property for a public use without just compensation;
6. deny to any person in a criminal proceeding the right to a speedy and public trial, to be informed of the nature and cause of the accusation, to be confronted with the witness against him, to have compulsory process for obtaining witnesses in his favor, and at his own expense to have the assistance of a counsel for his defense;
7. require excessive bail, impose excessive fines, inflict cruel and unusual punishments, and in no event impose for conviction of any one offense any penalty

- or punishment greater than imprisonment for a term of one year and a fine of \$5,000, or both
8. deny to any person within its jurisdiction the equal protection of its laws or deprive any person of liberty or property without due process of law
9. pass any **bill of attainder or ex post facto law**; or
10. deny to any person accused of an offense punishable by imprisonment the right, upon request, to a trial by jury of not less than six persons.

The legislation also addressed the crises of domestic violence that pledge the American Indian community.

The act also requires tribal courts to afford due process and other civil liberties. Also, Tribal courts try to provide a setting similar to that of a US courtroom, which is familiar to lawyers. That aided the attorneys, and it helped divert non-Indian ridicule and established the view that tribal courts were legitimate courts.

Tribal courts adopted rules of evidence, pleading, and other requirements similar to those in state and federal courts.

The **Indian Civil Rights Act (ICRA)** incorporated many constitutional protections but it modified others or did not include them at all. "The law did not impose the establishment clause, the guarantee of a republican form of government, the requirement of a separation of church and state, the right to a jury trial in civil cases, or the

right of indigents to appointed counsel in criminal cases." The provisions were excluded because the government recognized the different political and cultural status of the tribes.

Even though the federal government respected their individuality in this respect, the establishment of the ICRA caused the tribal governments to "mirror" modern American courts and procedures.

Under the current legal status of the Indian Bill of Rights as decreed by the Supreme Court of the United States of America the Tribal Council, General Membership or Tribal Courts can without any penalty or appeal violate and abuse the individual Civil Rights of the tribal members.

The United States Government does not have the authority to enforce the 10 Civil Rights for tribal members if the tribal government doesn't want to implement them. The General Membership of the Tribe must approve a statute to allow the individual tribal member to appeal their case to the Federal Courts if they believe their Civil Rights have been violated by the Tribal Government or its enemies.

It has been 50-years since the United States Congress passed the **Indian Civil Rights Act** and 40-years since the Supreme Court voided it.

You would think it is time for the tribal members to seek protection under the **Indian Civil Rights Act**?

SOBOBA TRIBAL INFRASTRUCTURES

Infrastructures is just a big word for roads, home sites, water, natural gas, sewer, and electrical power. It also includes health care, security and fire protection. These are important to the future development of the reservation.

We have an abundance of land yet we fail to provide simple home sites for our

children. Nor do we even have a plan or even a tribal planning committee to at least address the problem.

As a tribe we have a moral responsibility to provide for the future of our children. We have the resources to develop the reservation that meets with our tribal customs, cultural and traditional values

for generations to follow.

Many times we fail to be aware that change is needed on how we do things. Especially when the tribal membership is growing at such a rapid rate.

Without an overall plan for the development of the tribal **Infrastructures**, chaos seems to be in the future for the tribe.

The contamination of the tribes drinking water will be one of the first crisis along with home sites, housing and health issues.

A tribal planning commission or review committee to begin is needed to acknowledge the issue at a minimum.

Something we need to think on.

