

INSIDE:

Meierhenry's lawsuit

Just what does he want with all that water????

AMOCO Stakes out Nebraska

Making \$1,820.10 an hour
And other corporation tidbits

The Sagebrush Rebellion

Not really a rebellion at all . . .

Living without water

ETSI needs it in Arkansas

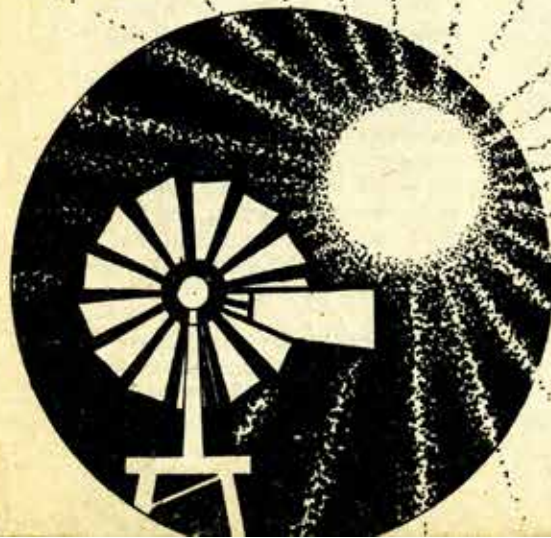
The 1868 Treaty and Black Hills Landholders

What the South Dakota media doesn't tell you



A mountain goat in the Central Hills.

Volume II



BLACK HILLS PAHA SAPA REPORT

Number III



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The Newspaper of the Black Hills Alliance

Complimentary Copy

March - April 1981

Company's benefits increase

Union Carbide is on welfare

by Lillias Jones

Union Carbide Corporation (UCC) has been allotted over \$10 billion by the Department of Energy (DOE) for nuclear activities, according to government documents recently received by the Black Hills Alliance. The lucrative government contract is for work by UCC's Nuclear Division from October 1, 1978, to September 30, 1983, and covers a variety of activities, including uranium exploration in South Dakota and fifteen other states. For 1979, the DOE contract was worth about \$2.3 billion, or twenty-five percent of the company's total sales.

UCC operations under the contract include running the uranium enrichment plants at Paducah, Ky. and Oak Ridge, Tenn., fabrication of nuclear weapons parts, research on a variety of nuclear processes, and production of "nuclear and source materials." The Corporation can use materials produced by its factories and its subsidiaries for the contract work.

The generous contract terms also release UCC from responsibility for nuclear accidents associated with the contract. The DOE will insure the public up to \$500 million per "incident" in the United States and up to \$100 million per "incident" outside the country.

Uranium exploration under the contract is for DOE's National Uranium Resource Evaluation (NURE), which is surveying the nation for uranium possibilities. The NURE program divides the country into quadrangles (there are nine full quadrangles and parts of five quadrangles in South Dakota.) Union Carbide has done and is doing NURE testing in 153 quadrangles in Texas, Oklahoma, Kansas, Nebraska, the Dakotas, Minnesota, Wisconsin, Michigan, Indiana, Illinois, Iowa, Arkansas, Missouri, New Mexico and Ohio, according to a company description of the project. For fiscal year 1979, UCC's NURE tests cost \$4,638,000, and for fiscal year 1980 the company's NURE budget was \$2,776,000.

In South Dakota, parts of the NURE testing were contracted to the South Dakota Geological Survey and to the South Dakota School of Mines and Technology. Testing in the South Dakota quadrangles is underway or has been completed, except on the Pine Ridge Reservation, where permission to sample has not been granted to date.

Detailed uranium resource surveys have also been done under Federal contract in the Edgemont area and in Harding County, which are proven uranium-producing areas. The Edgemont area study budget was \$89,000, and the Harding County study budget was \$100,000. Union Carbide has a number of uranium claims and two exploration permits in the Edgemont area.

The UCC-DOE contract, documents on UCC's NURE work, and UCC's uranium resource reports on the Edgemont area and on the Rapid City quadrangle are available in the BHA Research Center.

Rapid Valley well closed

On January 19, Rapid Valley Water Company shut down its Well #3 after a fourth radiation test showed continued high readings. The water contained more than nine times the Environmental Protection Agency's maximum allowable level of Radium-226 and more than six times the allowable level of gross alpha radiation.

Although high radiation levels were discovered in March, 1980, there was no public announcement until the Black Hills Alliance held a press conference in late October. High radiation levels have been found in other area wells, including several on the Pine Ridge Reservation. Although the high readings on the Reservation have been known since at least 1956, none of those wells has been closed or replaced.

Farmers forced off their land akin to Indian experience

by Hank Frawley

Editor's Note: The following is the opinion of one Black Hills area landholder.

I feel I'm in a position now as a County Commissioner in Lawrence County to be effective on land use policy decisions. I think we've fought harder than just about anybody to protect the land and resources here in the Northern Hills.

I think management of renewable resources can be done well. But when you talk about non-renewable resources — when you rip and you tear and you mine and you strip — now that's exploitation.

And I see that happening in public lands all over the country. Under the Reagan administration, they're going crazy. They've just pushed the panic button. And their attitude is "No holds barred." They don't care whether it's private land or public land. And I think we're going to have a helluva time holding on to the gains we've made environmentally over the past years...

The Black Hills-Paha Sapa Report welcomes original work of any kind, and news from your area. Include S.A.S.E. if item is to be

I think the country's taking an ass-back approach to energy development, because they're going after exploiting non-renewable resources instead of looking at renewable resources.

An interesting parallel is that the American family farmer has a lot in common with the Native American Indian. Basically, it's the farmer who owns the bulk of private land. I see their plights are similar. The American Indian had this land taken at gunpoint a hundred years ago. Now no one's telling me to go to a reservation, but there's a lot of political and economic forces at work that are going to make it impossible for me to hold on to this land. They won't take it at gunpoint, but there's a strong possibility that we won't be able to survive. We may well lose our land holdings. Because they're going to be gobbled up by the corporations.

I feel threatened as they were threatened 100 years ago. There's a real kinship...

I can show you good ranchers and bad ranchers, but generally the rancher has to go along with

Mother Nature. If he's serious about staying in business, he's got to take care of the land. If a rancher or a farmer is overgrazing and overgrazing and overgrazing, he's going to wake up some day and it'll be gone. Now you take this agricultural land and put it in the hands of the corporations and there's only one thing they're going to look at. There's only one criterion they have and that's profit. That's it. There's nothing else.

I can sit down with you and show you the money I've invested in my ranch over the years — in machinery, in land — it's staggering. And then I can show you my income tax return for 1980 and there's no return. I didn't make a profit. And there's damn few ranchers or farmers who are making anything. So why do they continue? Why would someone stay in a business that he couldn't make any money in? Because they love the land, and they love the life. There are other values they believe in. But if it was a corporation, they would look at satisfying the stockholders. And if the land didn't make money, they'd get rid of it.

"Why would someone stay in a business he couldn't make any money in? Because they love the land, and they love the life..."

That's where the plight of the American family farmer and rancher is similar to the plight of the American Indian. It's a different set of circumstances but the problems are the same.

You have to look at who controls the land. If it's a diversified number of people, then you have nothing to worry about. But if it's a dozen corporations, then I think we're in a lot of trouble.

We've been in this business for 100 years — you know we're no newcomers to ranching, and I can show you what's happening economically. It's taking off like crazy and I'm frightened...

Hank Frawley, Jr., is a Lawrence County rancher. He was one of the founders of the Save Centennial Valley Association, a group concerned with water management in Lawrence County.

returned.

The Black Hills-Paha Sapa Report is the official publication of the Black Hills Alliance.

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We wish to encourage the reproduction of information published in the BHPS Report. We do request that credit be given to the Black Hills Alliance and/or the artist/writer.

Non-Indians and Indians to struggle for common goal

Editor's Note: This is a statement from the Dakota American Indian Movement.

On March 9th, 1981, the Oglala Sioux Tribe argued its legal case before the 8th Circuit Court of Appeals in St. Louis, Missouri, concerning the United States' taking of the Black Hills.

All residents of the Black Hills and the immediate surrounding area should realize the Oglala Sioux Tribe is arguing for everyone in the area. The United States government must be forced to live up to its own Constitution, and to international law. These things protect everybody's rights.

Failure to recognize this fact will only cause further racism and play into the pockets of the corporations and Big Brother. When we are kept divided and fighting among ourselves, we do not initiate dialogue and struggle together for our common future. But that is exactly what we should be doing.

Dakota AIM agrees with tribal officials that no further desecration of the Black Hills is necessary. All residents will benefit. Initially, no one will be forced to pay federal or state taxes, and that will open up whole new economic resources

that have been going to federal and state governments instead of Black Hills communities. Of course white landholders will not be forced to leave their land.

"If we are to maintain the historic Black Hills lifestyle, we have to do it together. Or else we all lose."

The non-Indians have to become educated to Treaty law and how they will benefit in the short range and the long range by forcing the United States government to live up to its own Constitution and all the laws.

We recognize the news media's distortion of realities when Indians and the Black Hills are issues. If we are to maintain the historic Black Hills lifestyle, we have to do it together. Or else we all lose.

We must not continue to act based on ignorance and fear.

Therefore, Dakota AIM calls for immediate dialogue among all concerned with the Black Hills. Let us begin with community meetings between all of us.

We are willing, are you?
Contact Ted Means at 1-867-5451.

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The Black Hills Alliance always needs dedicated volunteers, full time or part time. If you have time or energy to work, please let us know. As our work grows, our staff needs increase. Remember: If you care about preventing uranium mining, you're a needed worker.

Meierhenry's water lawsuit has questionable motives

ANALYSIS by Jacqueline Huber

In early 1980, South Dakota Attorney General Mark Meierhenry brought a water rights suit against all Tribes and property owners in South Dakota west of the Missouri River. The suit attempts to force all of these defendants to submit written documentation of their current water needs.

Meierhenry claims that information given in response to the suit will not be used against South Dakota property owners. The information is being gathered, he says, to aid South Dakota in protecting its basic water needs from water-using development in other states "and jurisdictions" (that is, Indian tribes). He points to Missouri River irrigation projects and the ETSI coal slurry pipeline as examples of such development. The information is needed, he says, so that South Dakota can document its water needs for future litigation. The goal, he claims, is to protect the water needs of the individual property owner.

Lawsuit a Threat

Many property owners, however, fear the suit has quite another purpose. Meade County rancher Marvin Kammerer, for example, stated the suit is actually "a threat." "It's nothing more than a move to get a cornerhold on another natural resource," Kammerer stated.

Since the lawsuit focusses on current water use the data obtained could be used to limit increases of water use in the future.

Many property owners feel that what the state really intends to do is create "excess" water figures on water not currently claimed by any defendant in order to justify permitting mining and other large scale development companies to use large amounts of water. (These "excess" figures could be unrealistically high as water use by many impoverished small scale operations is down during the state's current economic slump).

The suit will abolish all water rights obtained before 1955 which are not documented as currently in use. A family now in hard times with lessened cultivation or other water use may lose generations-old water rights.

Tribes fight Suit

The Tribes dispute every aspect of the suit. The state plan seeks to place the Tribes under the State water management program. This violates federal treaty law and each Tribe's right to self-rule. Under treaty law, the Tribes are nations within the nation of the United States: each tribe's jurisdictional power as a subdivision of another nation is equal to if not superior to that of the surrounding state.

The Tribes also resist any suggestion that their water needs can be quantified or limited in any way. Local treaties are interpreted as giving the Tribes the right to "all the water they need as long as the grasses grow."

They also foresee increased de-

pendence on underground water sources as the surface water, their traditional source, becomes contaminated. (This has already happened on the Pine Ridge Reservation).

"Meierhenry's lawsuit is like a thief in the night. A backdoor approach to get hold of our resources."

The State maintains that the Tribes have no legal basis for any historic right to water. The Attorney General's office also believes that a state decision concerning water will apply to the Tribes under federal law.

The issue now in question is which court will decide the case. The suit began in state court, but was transferred to federal court by motion of the Tribes, who argue that a state court would be prejudicial to their interests. A federal judge will soon decide in which court the case will continue.

Suit May Die in Federal Court

If the Tribes win on this issue, the suit will probably die in federal court, the Attorney General's office admits, because a federal lawsuit would be far more expensive than a state lawsuit and therefore too costly to pursue. If the State succeeds in returning the case to state court, the defendants will then be served with their legal papers.

What is undisputed is that water is increasingly the crucial issue in South Dakota.

Paha Sapa Printing is looking for one or two people interested in training at the Black Hills Alliance printshop. The work includes printing, lay-out, design, typesetting and business management.

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Black Hills-Paha Sapa Report, eventually to publish our newspaper full time. Writing, editing and public relations skills essential.

WRITE: Black Hills-Paha Sapa Report, Box 2508, Rapid City, SD 57709; Phone (605) 342-5127 or drop by our office in downtown Rapid City.

The ETSI Pipeline— Some Questions

1. What is a coal slurry pipeline?

Coal slurry pipelines are intended to move large amounts of coal over long distances. The coal is crushed fine like sugar and mixed with water. The coal is then pumped to its destination where the water is removed.

2. Who is ETSI?

Energy Transportation Systems Inc. (ETSI) is a subsidiary of four large corporations that have formed a pipeline company. The corporations are: Bechtel; Atlantic Richfield (ARCO); Lehman Brothers, Kuhn, Loeb; and Kansas Nebraska Natural Gas. ETSI has applied for a permit to construct and operate a 1,828 mile coal slurry pipeline. It will move coal from Gillette, WY to Arkansas and then to Louisiana.

3. How much water will ETSI use?

The ETSI project claims it will require at least 20,000 acre feet of water per year from the Madison Formation, an underground water supply for the Northern Great Plains region.

-One acre foot of water is equal to one acre of land with one foot of water on it.

-20,000 acre feet is equal to 31 square miles of land to a depth of one foot.

-One acre foot would provide a family of five for one year. 20,000 acre feet would supply the same family for 20,000 years!

-The proposed ETSI pipeline would use approximately 7 billion 26 million gallons of water which is twice the amount Rapid City used

in 1980.

-20,000 acre feet of water per year could irrigate 12,000 acres of South Dakota crops, according to the Division of Water Rights in Pierre.

-The Black Hills *Monthly* reported that by pumping large amounts of water from beneath the prairie, the overlying springs, wells and streams would flow downward to fill the gap that would be left in the Madison Formation. The Black Hills are on an oasis, but mining of water by ETSI could turn it into a desert.

4. How much would ETSI have to pay for the water?

The Wyoming State Engineer's office has said that the charge to ETSI for 20,000 acre feet of water per year will be a filing fee of 10 or 25 dollars, depending on the type of application. If an individual were to purchase the same amount of water at current commercial rates for his/her business, it would cost about 12 million dollars.

5. Is there another way?

The Burlington Northern Railroad has moved coal from Wyoming mines for many years. The Bureau of Land Management's Draft Environmental Impact Statement on the coal slurry pipeline says that the railroad would only cause minimal environmental affects.

For more information contact: Citizens for Responsible Use of Madison Water (CRUM), Box 32, Deadwood, South Dakota 57732 or Black Hills Alliance, Box 2508, Rapid City.

Excluding weapons—

You spent \$37 billion on nuclear power . . .

by Lillas Jones

According to the December 15, 1980 *Wall Street Journal*, a draft report by the Department of Energy estimates that **the federal government has subsidized the nuclear power industry to the tune of \$37 billion** over the last thirty years. The report focuses on subsidies "critical to the development of the private nuclear power industry and critical to its continuation."

The subsidies include research and development for fission and fusion reactors, cut-rate enriched uranium, government promises to take care of nuclear waste, and price guarantees and import controls for uranium mining companies.

nuclear weapons development — which led to the "atoms for peace" program or federal clean-up of accidents. It also doesn't include the Price-Anderson Act, passed in 1957. The Act is meant to make up for the fact that insurance companies won't cover nuclear accidents — instead, the government covers \$560 million in damages and liability is limited to that amount.

As the government also estimates that a nuclear power plant meltdown could cause \$17 to \$280 billion in damage to property alone, the victims must make up the difference — plus they pay the Price-Anderson Act damages through taxes.

A call to the Department of Energy to try to find out more yielded no further information. The DOE wouldn't talk about the draft report because it is not yet "public" information.

We welcome Sihaya, born March 21, 1981 to Phyllis Girouard and Andrew Reid and big brother, Pewaubek. Congratulations and Happy Birthday.

The Welfare State Revisited

Based on the 40 hour work week at 50 weeks a year, the salaries and various compensations for the top ten oil company executives in 1979 were:

Compiled by Ray C. Beaulieu, BHA Research and Documentation Center.

NAME	COMPANY	HOUR	WEEK	YEAR
Rawleigh Warner, Jr. Chairman	Mobil	\$1,820.10	\$72,803.80	\$3,640,190.00
Wm. P. Tavoulares, President	Mobil	\$1,499.61	\$59,984.50	\$2,999,225.00
Zoltan Merszei, President, CEO* Hooker Chemical	Occidental	\$735.95	\$29,437.64	\$1,471,882.00
Alex H. Massad, Executive Vice-President	Mobil	\$644.99	\$25,799.46	\$1,289,973.00
Maurice F. Granville, Chairman	Texaco	\$560.80	\$22,432.78	\$1,121,639.00
Richard F. Tucker, Executive Vice-President; CEO Container Corporation	Mobil	\$754.24	\$30,169.40	\$1,508,470.00
Robert O. Anderson: Chairman, CEO	ARCO	\$623.40	\$24,935.94	\$1,246,797.00
Harold J. Haynes, Chairman	Standard Oil of California	\$397.05	\$15,881.98	\$794,099.00
Paul J. Wolfe, Executive Vice-President	Mobil	\$710.50	\$28,419.94	\$1,420,997.00
John F. Bookout, President; CEO	Shell	\$870.14	\$34,805.44	\$1,740,272.00

*CEO - Chief Executive Officer

AMOCO stakes secret uranium claims

AMOCO Minerals Company of Englewood, Colo., and Dalco Company of Boulder, Colo., have illegally

Although officials told both companies to remove the stakes from the 22,000 acre park, both refused

said the BLM is also opposed to mining at Fort Robinson and the Red Cloud Agency. Sources said

exploration claims at Fort Robinson State Park in northwestern Nebraska. An AMOCO spokesman, John Squyres, stated that the company staked the claims because informing people "would invite competition, invite resistance. If we advertised our presence, one way or another, we would be kept out."

Nebraska state officials are against any mining in the park or the nearby Red Cloud Indian Agency.

John Squyres was quoted in the *Omaha World Herald* as saying that solution mining, the type of uranium mining AMOCO proposes to do, is "water injected into wells to remove uranium." Actually, solution mining uses sulfuric acid and other toxic chemicals. The method is experimental and has been banned in many regions.

A U. S. Bureau of Land Management official, Harold Stinchcomb,

fort and surrounding countryside "is probably the most beautiful in Nebraska" but that uranium mining brings "a lot of good things and some problems, and the net effect is that it is good."

The issue may end up in federal court, according to Nebraska Assistant State Attorney Rod Anderson.

For more details, see *Omaha World Herald* February 14, 1981, or contact Merle Hansen, Rte. 2, Newman Grove, NE 68785.

Americans get more energy from wood than nukes

According to a study by the Worldwatch Institute, more of the United States' energy is now produced by wood than by nuclear power, and the use of wood is expected to continue climbing.

Plans are underway to use waste from the timber industry to provide power — a plan that is being used successfully in other areas. Wood alcohol is another possibility that can be developed here.

Local retailers expect increased sales this fall due to the deregulation of natural gas and proposed tax incentives, especially if the weather is colder. Wood users are being encouraged to gather fuel in a way that doesn't harm wildlife or tree regrowth.



Amos Reinhold

Southern Hills rancher Bud Hollenbeck subjected to questions by Marv Truhe, Silver King Mines (TVA) attorney. The February hearing in Custer County was the first uranium exploration hearing held locally. Custer residents demanded and paid for the Conservation Commission to hold the hearing in Custer, then waited 13 hours before being allowed to testify.

Sagebrush Rebellion - The Coming Land Grab Attempt

by Homer Ayres

When one hears of the sagebrush rebellion springing up in the states with a considerable amount of their land in the public domain we must consider that this so-called rebellion does not come from some hard bitten sobbusters trying to make ends meet in an arid country. It comes mainly from big corporations that want the public domain handed over to the several states.

Their objective is that the land, under state ownership, can be exploited to a greater degree than if any restrictions on land use were enforced by federal departments. It is much easier to control state governments than the federal government when it comes to the big corporate giants. There are a couple of things by which corporations make profits: land resources and labor power.

Land grabbing has a long history going back to the days when the first homesteads were filed. It came up for public discussion then, but it seems that it couldn't be stopped. In the 1950's it was tried again, but the time was not quite ripe.

a back door in the 1960's but failed again. In 1953 the late historian Bernard DeVoto wrote a comprehensive article on land grabbing for the May issue of *Harpers* magazine, much of which is worth quoting. It was put into the Congressional record by Senator Wayne Morse.

In 1952 Charles Wilson, who had been president of General Electric, stated that parts of the public domain should be sold outright to big corporate outfits. That sort of set the tune for bigger grabs later. It was called the Wilson Plan by the press. (GE's Charlie Wilson should not be confused with another Charlie Wilson who headed General Motors and got into the news in a big way when he said that what was good for General Motors was good for the country).

In the early 1960's the John Birch Society was hammering on its economic program, part of which was to sell the public domain. This came in the form of an amendment to the federal constitution first called: "The Proposed 23rd Amendment to the Constitution."

The amendment was tied in with the repeal of the federal income tax, but it failed to get ratification except in a few states. It failed in South Dakota and after that it was never presented again.

But things are different today and it could pass unless people know about it and make their knowledge felt in the legislature.

The reason things are somewhat different today from the 1950's or 1960's when it comes to

outright land grabbing is that from all indications the new President looks favorably toward the instigators of the sagebrush rebellion: the new Secretary of the Interior, James G. Watt, is also favorable to the rebellion.

If General Electric means anything in the coming events, such as the sagebrush rebellion, we must remember that Ronald Reagan is an old GE hand.

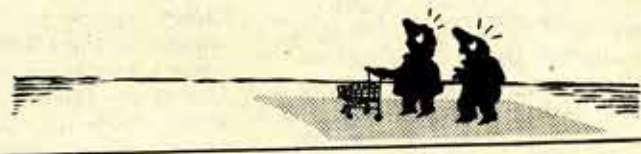
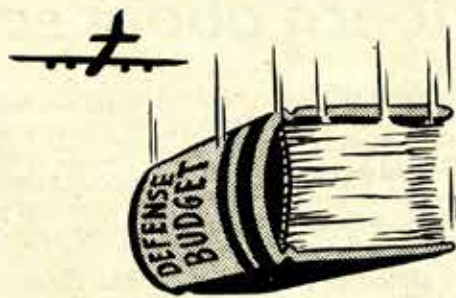
Men from both houses of Congress, who might have been considered friends of the public domain, and know that there is a limit to how much Mother Earth can be mistreated, are no longer in Washington. If General Electric means anything in the coming events, such as the sagebrush rebellion, we must remember that Ronald Reagan is an old GE hand.

U. S. News and World Report ran a story about the "Wilson Plan," mentioning the fact that Charlie Wilson was wartime Defense Mobilizer and president of General Electric. This plan was to "denationalize the Government's huge investment in the electric-power industry and other enterprises," and proposed to sell to private investors the Tennessee Valley Authority system, the Columbia River Development, Hoover Dam and other electric power projects. The article went on to say that "state Chambers of Commerce hold that the Post Office should not be overlooked in any program of disposing of government-owned businesses."

By the spring of 1953 the Wilson Plan was cooking in the Congress and a number of proposals were in the hopper to sell about everything the government owned, especially the public domain. This was what caused historian DeVoto to write his article in *Harpers*.

Former Secretary of Interior Oscar Chapman testified at hearings that the estimated value of the land proposed to be sold to private industry amounted to at least a trillion dollars, not counting Alaska. By 1963, or a few years before, the big steal took the form of a constitutional amendment, tied up with the repeal of the federal income tax.

This story, or at least part of it, will be written about in articles that follow. The big corporate institutions never quit, they keep trying. They run the country.



Grassroots organizing in Vrmnt. defeats multi-national

On December 10, 1980, Urangesellschaft, a German based multinational corporation, terminated its exploration leases and mining plans for the central hills of Vermont. The company's official reason for leaving was that "the climate, politically and environmentally, was not favorable," according to the World Information Service on Energy (WISE).

The citizens group Stop Uranium Mining (SUM) had fought the company

for two years by bringing experts on the dangers of radiation before the state legislature, holding rallies, and building community support. SUM convinced 36 Vermont towns to adopt an ordinance banning uranium mining in their towns.

Urangesellschaft has vast mining interests in Canada, Australia, and African and South American countries, according to WISE.

Minn. farmers under powerline are suffering

by Colleen Ragan

Farmer/activists in Minnesota recently had one more door slammed in the face of public input when a request for public hearings on health effects of the 800-kilovolt powerline cutting across central Minnesota was refused.

The Minnesota Environmental Quality Board (EQB) listened to landowners living along the route of the controversial line recount health problems they and their livestock have experienced since the direct-current high voltage powerline began conducting electricity. The EQB decided to take no further action in the matter until the next meeting when the utilities will argue their side of the permit problem.

Fifteen Towers Fall

West-central Minnesota has been embroiled in conflict since the powerline went into operation in late 1979. Since that time fifteen power towers have toppled; the latest on December 10, 1980, was the fifth to drop that year. What makes this last tower unique is the involvement of the FBI, which was given jurisdiction over the line in late 1980. Since local power cooperatives voluntarily placed themselves under the jurisdiction of the federal Rural Electrification Administration, it made line-tampering a federal offense.

Minnesota citizens continue to go through the legal channels necessary to slow down and/or stop the powerline even as the line operates. Scientific studies have shown evidence that continual exposure to an electromagnetic environment puts added biological stress on living creatures, which weakens them and makes them more prone to disease.

Farmers Suffer

In response to a health survey conducted by the EQB 35% of the families living close to the powerline have "suffered . . . adverse health effects which (they) believe are a result of living close to the powerline." 18% said they didn't know if the health effects were directly related to living by the powerline.

The request for public hearings was endorsed by seven state legislators from districts affected by the line. More than 20 legislators endorsed the protesters' position before the January 15 EQB meeting. In the meantime, the General Assembly to Stop the Powerline is compiling a list of people they'd like to see on the advisory committee. As *Hold That Line* reports, within the powerline protest movement "spirits have never been higher out here. We are stronger than ever; justice will be done, and the victory will be sweet."

Thanks to GASP and Northern Sun News

Build projects themselves

Kids learn about solar

Editor's Note: The Black Hills Alliance conducts hands-on solar workshops in the Rapid City public schools, and on Cheyenne and Pine Ridge Reservations. Ms. Jo Shuman, coordinator of the project, writes here of the workshops and the philosophy behind them.

A review of the science textbooks used by many schools today reveals that the material used to teach children about energy development is often prepared by energy corporations. These corporations have a strong interest in teaching children that the path of fossil fuels, nuclear power, coal gasification and centralized energy is the only way to go.

For example, in a South Dakota fifth grade science textbook, nuclear power is shown as the energy of the future. It is mentioned several times, but solar energy is only discussed because of its use in space crafts.

In a recent book called *Hucksters in the Classroom: A Review of Industry Propaganda in the Schools*, Sheila Hart asserts that industry's material makes its way into the majority of classrooms in the U.S. Industry sees children as prime targets for its products, she states, and quotes Vance Packard, who

grade schools throughout America are nearly 23,000,000 young girls and boys. They are consumers today and will be the buyers of tomorrow. Here is a vast market for your products..."

The Black Hills Alliance workshops, "Solar Energy for Children," present information children are rarely exposed to. The workshops emphasize the advantages of solar energy, because of its decentralized nature and as a renewable, cheap, and nonpolluting source of energy. We also discuss with the children the pros and cons of many other sources of energy available. Most important, we point out that the sun is at the center of the ecosystem, and is essential in every part of our lives.

After the discussion, we and the children construct a solar project. So far, we have built three solar ovens, three solar water heaters, two solar water purifiers, and a solar panel made of wood, pop cans painted black and thick plastic. The children also have the opportunity to make posters, write letters to the President, local newspaper or tribal chairperson, or to solar resource centers asking for more information.

Our next project will be constructing two solar food dehydrators at the Cheyenne/Eagle Butte

Dear Mr. president,
I'm a 12 year old girl in the 7th grade from Cheyenne Eagle Butte. And I'm at a solar workshop first off we seen a film and it dealed with pollution. We talked about what we take from nature and then don't give back respect. Like taking trash and throwing it around. And polluting water. Second off, we're building a solar water heater see the water collects in a con and goes through a hose then it goes in a copper tube that's in a box with glass around it. The water heats up, rises around through the copper tube and runs back into the bucket. Then it just keeps happening over and over again. I think that solar is a big step in the world. Oil problem and gas problems. And soon it will be an advanced way of heating. And you should help it along as much as you can. And I would like to here your opinion and ideas.

Sincerely Yours
Donald Anderson

Box: 574
Eagle Butte SD.

One of the letters that went to Washington, D. C.

Ellsworth radioactive waste buried in a box

by Lillias Jones

What began as a simple request for information ended up being a roller coaster ride through the

at ground level, and all warning signs and fences had been re-

INK," a publication for marketing communications:

"Eager minds can be moulded to want your products! In the

Junior high schools. If you are interested in participating, please contact me at the Black Hills Alliance office. Phone 1-342-5127.

Jo Shuman

Department of the Air Force and a nice illustration of "military intelligence."

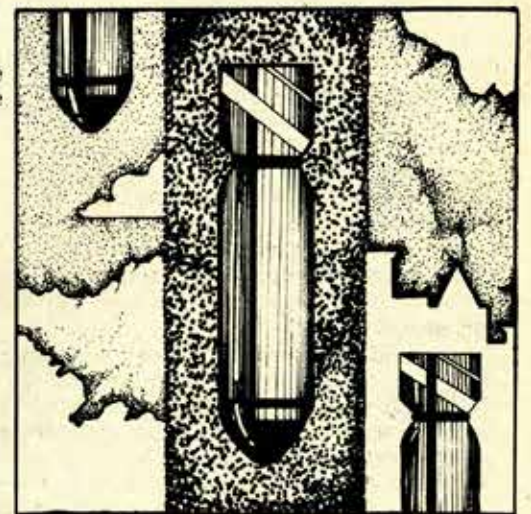
Wanting to know more about what's in our backyard, BHA researcher Lillias Jones wrote a Freedom of Information Act request to Ellsworth Air Force Base in October. She asked for information on the radioactive waste stored there and for records on radioactive leaks from the 150 missile sites in western South Dakota. The Air Force's original response didn't include key information such as where the wastes are stored, how they are stored, or if any leaks had occurred. Follow-up letters were sent to the U.S.A.F. Radioisotope Committee in Texas and to Capt. Randall Ostraat at Ellsworth.

Another Air Force representative, Lt. Col. William Hitt, answered the second letter to Ellsworth, giving the location of the radioactive wastes and stating, "we do not maintain documents or records on radioactive leaks, as none have occurred."

A letter from Texas brought more information. Col. William Lawson stated that Ellsworth's wastes "consisted primarily of ... gloves, rags, paper towels, etc., which became contaminated in the process of handling radioactive material." From the mid-1950's until 1961, these wastes were stored in five tanks, 42 cardboard boxes, three bottles, and a "package." By 1972, according to a Radioisotope Committee report, everything but the tanks had been replaced by a plywood box buried

A phone conversation between Lt. Col. Hitt and Attorney Andrew Reid revealed that people at Ellsworth hadn't thought of testing the waste site or the missile silos until the BHA brought it up.

However, as it turns out, the wastes were tested in 1972, according to the Radioisotope Committee, although current Ellsworth personnel weren't aware of those tests. The test results showed radiation levels under the Federal "safe" limit with one exception.



() YES, LETS HAVE A NUCLEAR WAR. I'M SICK OF WAITING

() NO, I'D RATHER WAIT A LITTLE LONGER.

YOU ONLY HAVE ONE VOTE



Courtesy Rapid City Journal Don Polovich

TREATY RIGHTS

JAMES HOLY EAGLE
AND
FRANK KILLS ENEMY

The following is from the International Indian Treaty Council's 1979 document, "Energy and Indians."

Indian people have seen and experienced first hand western economic expansion, in particular western energy development. Hypothetically, energy-rich Indian nations should be among the wealthiest peoples in the world. However, the royalties for Indian resources are controlled by the Department of the Interior. By guaranteeing low royalties the Department encourages corporations to continue to exploit these cheap resources, instead of developing alternative and more environmentally suitable energy sources.

In any case, what is wonderful and inexpensive for the energy corporations is

disastrous for Indian peoples. Indian people are dying of malnutrition (while on government rations), alcoholism and numerous diseases virtually extinct in the general population.

Through history, energy development had to be at the expense of someone, and it was certainly not the oil companies that bore the burdens of development. But they always reaped the profits. In the Oklahoma oil rush, the land, oil and cheap labor came from the 97 Indian nations relocated or native to Oklahoma Indian country, and the toll was disastrous. The Cherokee people, already

forced down the "Trail of Tears," lost their promised homeland. The energy and railroad companies, operating within governmental policy, got "rights of way" to their land.

More recently, in Montana 95% of the Northern Cheyenne people are opposed to coal stripmining and burning. They demand clean air for themselves and their children, but the jurisdiction battle between the Department of the Interior and the Northern Cheyenne is an unbalanced fight. And even though the Northern Cheyenne may save their homeland, the Crow people, who live next door, already stripmine and provide coal

for massive electrical plants.

In the Southwest, the Navajo Nation is located in the Four Corners region. In the center of the Navajo Reservation is the Hopi reservation, the Black Mesa, coal district and the Hopi sacred land. On this land live a people who are rich spiritually, but poor economically. For over twenty years, coal and uranium companies have been extracting energy resources from Navajo and Hopi lands. Instead of the promised increasing incomes, the Indian people are getting increasing cancer, polluted water and air, and forced relocation.

In January, Chief James Holy Eagle, a frequent visitor to the Black Hills Alliance office, asked for a staff writer to come over to write down the words he and Chief Frank Kills Enemy wanted to say in the Black Hills - Paha Sapa Report. James Holy

Eagle is 91 years old and he focuses his attention on the violation of the 1868 Ft. Laramie Treaty by the state and federal governments. The following is my account of what these two men said.

Kathy Sullivan

James Holy Eagle:

"The Black Hills are not for sale. According to the 1868 Fort Laramie Treaty, the land belongs to the Lakota people (then known as the Great Sioux Nation). This area covers 1/2 of North Dakota, 1/2 of South Dakota, part of Montana, part of Wyoming, and half of Nebraska. Also, the Black Hills is still Indian territory.

"In 1920, Indian people saw their land being divided by an allotment crew and that the government had opened the remaining land to homesteaders without consulting with the Indian people before doing it. Concerned Indians met in Martin, South Dakota, at the Oglala Sioux Council to stop this land grab. They passed a resolution to make a claim against the government for close to 60 million acres. Land not including the Black Hills became known as Docket 74A and the Black Hills as Docket 74B.

"The government has made an offer of \$44 million plus \$78 million interest to the Indians for the 60 million acres, which is less than one dollar an acre and isn't enough money for 74A. We won't accept the money at that price for the territory outside the Black Hills,

and the Black Hills (74B) are not for sale at any price.

"That meeting in Martin was over 50 years ago, and all we've received are postponements. Now we've got to do something, this year. I wish all the Headmen, Spokesmen, and Chiefs would get together right now, this year, and take the Black Hills claim to the World Court. There are attorneys already willing to help. There are a lot of people who are willing to help for the financial part of it, I'm sure.

"They're using the water for pipeline and irrigation. They have built a big water power generator for electricity already, and they should have asked the Indians first for all that.

"The 1868 Fort Laramie Treaty is Nation to Nation. Treaty Commissioners and the Sioux Nation made this Treaty. And anything under the agreement of the 1868 Treaty, these two nations should get together and decide: that the government is going to mine the Black Hills — or we're going to waste the river. Neither one of them can decide alone, both decide one way and one of them says no, and so the Treaty doesn't change. That's where the Sioux stand now.

"I and him have decided right now, some Treaty Commissioners and the Sioux Indians, from all seven reservations should meet.

"I want the Nations to get together and talk about the mining and timber and water question. A Nation to Nation meeting — not on one side. The U. S. is not consulting our Nation and according to the Treaty that's illegal.

"Now my friend, Mr. Chief Frank Kills Enemy, would like to say a few things."

Frank Kills Enemy has been called by Chief Frank Fools Crow "one of the most respected Headmen and expert on Indian treaty rights."

Frank Kills Enemy:

"Yes and no are powerful words. Yes, that's a very big word. The government votes slowly — with no and yes. And the United States government voted yes to the 1868 Fort Laramie Treaty. The Black Hills are not for sale. They have never been for sale.

"General Terry offered a resolution recommending that the government cease to recognize Indian Tribes as domestic dependent nations and that no treaties should be made with any Indian Tribes."

(Editor's Note: In 1868, the 14th Amendment to the Federal Constitution provided that all persons born in the United States and subject to its jurisdiction were citizens of the United States and the state in which they resided. Tribal Indians were excluded, however, from the amendment on the ground that a tribe was considered a domestic, dependent nation, so Indians were not born in the United States and were not subject to its jurisdiction.)

"I was all over white man's world. I saw and know this government

"My lands are where my people are buried."
Crazy Horse

is all wrong. So, I go on the base of law to prove all the facts against the United States government."

"(The 1868 Treaty was prepared by the Treaty Commission, men who pledged the faith of the United States and their honor as men to the faithful fulfillment of its stipulations. The Treaty was ratified and proclaimed and became the supreme law of the land, on the same level as the Constitution. A treaty by sovereigns may not, by international law, be abrogated by one side.) "And to do it he violates the law by war. It's all fraud. I know the Territory by heart because I'm an Indian lawyer. When it comes to law, when I have the floor, when my English is good and I look over there, I see what I'm going to say. I'm 86 years old — I am kind of lacking so I'm in a hurry. I can challenge any lawyer, anytime, any place. And I can beat him too. When I talk on the treaties, I like to talk on the base of law, not with my opinion, because I'm the tribal expert of the treaty law."

(Referring to the last Supreme Court decision on the Hills, on the money question, Kills Enemy said that he and Holy Eagle and others that

should have been there, said he would sue the government.) "What the Supreme Court did is illegal according to the Treaty law."

(For further information on the abrogation of the Treaty, "hidden" lands of the Lakota people in Montana, Frank Kills Enemy can be contacted in Kyle, South Dakota.)

Footnotes:

- 1 International Indian Treaty Council, "Energy and Indians," N.Y., 1979.
- 2 Thomas S. Mails, *Fools Crow*, Doubleday, 1979.
- 3 Don C. Clowser, *Dakota Indian Treaty From Nomad*, Don C. Clowser: Deadwood, SD, 1974.
- 4 "24 Book" or "Treaty Book."

From inside the walls . . .

To the Editor:

Brothers and Sisters,

It is good to know that our people are still fighting for our rights in this country. I was glad to hear that the fight for the Black Hills is still strong as is the stand against Nukes. This struggle must continue or else our people and all people, will lose much more than we can imagine. Our people have suffered and fought for centuries and it appears that the struggle will continue. It must continue or everything that we hold sacred will perish. The desecration of our burial grounds and even our way of lives and livelihood are threatened.

I applaud and wholeheartedly support the American Indian Movement as I believe that all Indians should. Ours is a common cause. Let us all unite for the betterment of our people. Let us never forget that this land was ours before the white man came. Let us hold on to as much of it as we can. The Earth has been a good Mother to us all. It seems a complete disgrace and even sacrilege to mistreat her after her kind-


ness to us. Let this be a plea for a united Indian Race. Let us stand together once again for the betterment of our race and our cause. Must we stand by and watch our lands desecrated and taken again?

The movement here in Florida prisons is not as strong as it could, and should be. However, there are a few of us that are trying to change that situation.

Our hearts and prayers are with Richard Marshall. To our brothers and sisters behind bars we offer encouragement and hope. The struggle for Indian Rights and recognition behind the bars is real and much needed.


To our brothers and sisters on the outside we say, let the struggle continue. We are with you in heart and spirit. We shall join the fight upon our release. May we grow strong and hold fast to our beliefs and practices throughout the coming trials.

Solidarity towards Liberation,
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The Crud Stops Here

The U. S. Army and Linde Air Products (now a division of Union Carbide Corporation) dumped atom bomb wastes in shallow wells in upstate New York from 1944 to 1946. According to a report released by the New York State Assembly Task Force on Toxic Substances, more than 37 million gallons of radioactive wastes from the World War II atomic bomb project were buried in Tonawanda, New York, near Love Canal and Niagara Falls.

In 1944, the Linde Company recommended that the U. S. Army use the Tonawanda area for a dumping site because it would be impossible to tell who had dumped the wastes or where they had come from.

The U. S. Army denied direct involvement in dumping the bomb sewage, while the Linde Division of Union Carbide

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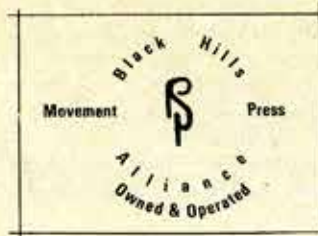
In South Dakota, add 6 1/2% sales tax.

Cheyenne River quits CERT; Rosebud joins

Cheyenne River Reservation withdrew from the Council of Energy Resource Tribes (CERT) in late 1980. CERT, sometimes described as the Indian OPEC, was established with Department of Energy money to aid in the development of natural resources on Indian land.

Rosebud Reservation joined CERT late summer 1980. Tribal spokesperson Carol Hart stated CERT could help the reservation in "economic planning and development" particularly with regards to water.

In a CERT report done for Women of All Red Nations, Winona La Duke stated that CERT is made up of tribal chairmen from 25 western Indian reservations, but "does not represent Indian people, only the tribal chairmen who are acting independent of democratic control of... reservation people." The Report also said that most of the CERT reservations have been the site of active energy development for over 50 years.



When asked the question, "Why are so many environmentalists extremists?" **Stuart Barndborg**, former Executive Director of the Wilderness Society replied, "They don't start out that way."

government has been asked to accept responsibility for the clean-up.

For more information, see New York Times February 1, 1981, page A1.

A contribution of \$45.00 was recently donated to the Black Hills Alliance in memory of Joe J. Wilson who passed away August 3, 1980.

The Alliance is grateful that his friends and family chose to remember Joe Wilson through a contribution to the effort to stop uranium mining in the Black Hills.

The money was used to help with environmental litigation expenses.

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