

## state and nation

### Tulsa bingo lawsuit continues

# Tribal activity tax free, official says

TULSA (AP) — State and local governments have no power to tax or regulate tribally owned enterprises on Native American land, an official with the U.S. Interior Department said in a video-taped deposition Tuesday in a federal suit involving the Muscogee Creek Nation's right to operate a bingo hall in Tulsa.

John Fritz, outgoing assistant secretary for Native American affairs, said the Constitution considers Native American tribes sovereign nations.

In the deposition, Fritz said the United States engages in government-to-government relations with federally recognized tribes.

He said the 100-acre tract of

Arkansas River bottomland on which the Creek Nation Bingo Hall rests is, in the Interior Department's view, Native American land.

Attorney John Echols, who represents the tribe, is asking U.S. District Judge James O. Ellison to rule the Creek Nation sovereign and allow it to operate a bingo game in south Tulsa.

Attorneys for Tulsa County are asking Ellison to deny the tribe the right to run bingo unless the games are operated according to state law and taxes are paid to the state.

The question of whether the site is Native American country is one of several legal issues raised by the Tulsa County district attorney's office and the Oklahoma Tax Commission in the federal suit.

The state has claimed that the Creek bingo site is not a Native American reservation, as defined by federal law, and is subject to its authority.

Fritz said federal law and policy regard many other types of Native American holdings, including the Creek bingo site, as

Native American land.

The Interior Department contends bingo as one way for Indian tribes to raise money to replace ever-dwindling federal funds, he said.

Also during Tuesday's proceedings, Woodrow Haney, a Creek Seminole and long-time elected official of the Creek tribe, removed his handmade flute from its buckskin cover and raised it to his lips.

A quivering, haunting melody filled the courtroom.

"This is part of our lives," the Indian historian said. "This is part of our survival. Through these old songs, we know the Great Spirit is still with us."

Attorneys for the state claim federal legislation and court decisions have stripped the Creek Nation of its sovereignty. The Creeks admit that their government was dormant for many years. They argue, however, that the tribe never surrendered its sovereignty.

The tribe's attorneys presented Haney's testimony Tuesday to prove that the Creeks have a vital, ongoing culture and tradition that extends back to the 19th century, before the Creeks were forcibly

removed from their ancestral lands in Georgia and Alabama and brought to Oklahoma. Haney described how the Creeks secretly carried with them the ashes from their sacred fires on the Trail of Tears, and rekindled the sacred fires in Oklahoma.

"There's one right here, just 15 miles from Tulsa," he said.

Haney described how the Creek language and traditions have survived the white man's efforts to stamp them out. At Oklahoma's early Native American mission schools, he said, Native American children were punished for using their native tongue. Today, he said, the traditions have been revived and are flourishing.

Haney said that while Creek elders encourage their youths to remember their heritage, they also urge the young people to adapt to the white man's world.

"We try to tell our young people, 'Go to school and learn all you can, because this is the white man's world and you've got to learn the white man's ways. But remember we taught you this... Remember when your word was your word; when your greatest honor was your word.'"



Planned  
Parenthood

Convenient and  
Confidential  
Birth Control

and

Pregnancy Testing  
360-1556

730 Asp. Suite 208