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Update from the Kiowa Association National Director, Michael Turner, Mar 14, 2004

Greetings to all of you it has been a while. I am here to update the Gamefowl Industry on the Kiowa Associations progress concerning Senate Bill 736 and House Resolution 1532 which are currently pending in Congress as of this date. Enclosed is a Letter I have received Friday March 12, 2004 from the United States Interior Department of the Bureau of Indian Affairs affirming what has been said that the Kiowa Association was effective enough in getting Senate Bill 736 and House Resolution 1532 pulled from the Healthy Forest Restoration Act and stalled on the Floor of Congress there are also other letters enclosed sent to Congress of American Indians and Committee on Indian Affairs as well as other interested parties. A lot of Gamefowl Breeders have asked me what effect will both Bills have on the Kiowa Association if Congress goes ahead and pass both bills. I can tell all of you None because the Kiowas Are already "Grand-Fathered" in having Preemption of both State and Federal Law. As you can see the Animal Welfare Act and its amendments have no full force and effect in Indian Country. there is Case Law that was handed down by the U.S. Supreme Court recently that would conflict with the Tribal Language introduced in S.B. 736 and H.R. 1532. both Bills have yet to get out of the AG-Committee in both the House and Senate and signed into Law, so much for that. I am also here to inform you that the Kiowa Tribe of Oklahoma just recently held a recall election to remove the Chairman and Vice-Chair from Office for embezzlement and misappropriations of Tribal money both culprits were voted out unanimously by the vote of the Kiowa People. So much for the phone calls eh!

People have been calling to ask when the Kiowa Association will be sanctioning any facilities soon all I can say at this moment it will happen and it will be announced. I would also like to inform those of you who are purchasing a License to send applications and make checks out to the Kiowa Association for the Preservation of Cultural and Rural Lifestyles

H.C. 30 Box 945

Lawton, Oklahoma 73501

At this moment the Animal Husbandry Commission is under an Audit by the Kiowa Association which is standard procedures under the By-Laws and nothing serious until the Audit has been completed all inquiries and purchases will be sent to the Kiowa Association if you have any questions call? Before I close here I want to thank all of the GameFowl Breeders who have supported the Kiowa Association a Heart Warm Thank You to all and a congratulations to the California Associate Member Organizations in their Fund Raisers. The Kiowa Association and its members truly stand alone in its battles against the Special Interests, all being a matter of Record, "NOW WHERE'S YOUR'S"? There is more to come take care and God Bless All.

A reminder the Kiowa Association and its Members have not failed the GameFowl Industry in its endeavors and will continue to gain ground for the good of all rest assured.

Michael Turner

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United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240

IN REPLY REFER TO:

Division of Forestry
BCCO 04543

MAR 1 2004

Mr. Michael C. Turner
National Director of the
Kiowa Association for the
Preservation of Cultural and
Rural Lifestyles
H.C. 30 Box 945
Lawton, Oklahoma 73501

Dear Mr. Turner:

Thank you for your letter of December 19, 2003, to Secretary Norton concerning amendments to H.R. 1904, the "Healthy Forests Restoration Act of 2003." The Secretary has asked me to respond to your letter.

H.R. 1904 was signed by the President on December 3, 2003, and became Public Law 108-148. The section you referenced within your letter, concerning the Animal Welfare Act, was removed during the House and Senate conference on the bill. A copy of the November 20, 2003, page from the *Congressional Record* indicating the change is enclosed for your information.

Thank you for sharing your concerns with us.

Sincerely,

ACTING Director, Bureau of Indian Affairs

Enclosure

November 20, 2003

CONGRESSIONAL RECORD—HOUSE

H11697

and Health shall monitor the long-term medical health of those firefighters who fought fires in any area declared a disaster area by the Federal Government. The amendment authorizes to be appropriated such sums as may be necessary in each of the fiscal years 2004 through 2008 to carry out this title. (Title VIII)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(5) Disaster Air Quality Monitoring Act

The Senate amendment instructs the Environmental Protection Agency to provide each of its regional offices a mobile air pollution monitoring network to monitor the emissions of hazardous air pollutants in disaster areas and publish the findings. The amendment authorizes to be appropriated \$8,000,000 to carry out this title. (Title IX)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(6) Highlands Region Conservation

The Senate amendment recognizes the importance of the water, forest, agricultural, wildlife, recreational and cultural resources of the Highlands, and the national significance of the Highlands region to the United States. The amendment authorizes the Secretary of Interior to work in partnership with the Secretary of Agriculture to provide financial assistance to the Highlands States to preserve and protect high priority conservation lands in the Highlands region, and continues the ongoing Forest Service programs in the Highlands region to assist the Highlands States, local units of government and private forest and farm landowners in the conservation of lands and natural resources in the Highlands region. (Title X)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(7) Emergency Treatment and Reduction of Nonnative Invasive Plants

The Senate amendment establishes a program for emergency treatment and reduction of nonnative invasive plants to provide to State and local governments and agencies, conservation districts, tribal governments, and willing private landowners grants for use in carrying out hazardous fuel reduction projects to address threats of catastrophic fires that have been determined by the Secretaries to pose a serious threat, including work to eradicate Salt Cedar and Russian Olive trees and other brush along the Bosque lands on the Rio Grande River in the State of New Mexico. (Section 1102)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(8) USDA National Agroforestry Center

The Senate amendment amends section 1243 of the Food, Agriculture, Conservation, and Trade Act of 1990 to establish a National Agroforestry Center. (Section 1103)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(9) Upland Hardwoods Research Center

The Senate amendment directs the Secretary to establish an upland hardwood research center. (Section 1104)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(10) Emergency Fuel Reduction Grants

The Senate amendment instructs the Secretary of Agriculture to establish an emer-

gency fuel reduction grant program under which the Secretary shall provide grants to State and local agencies to carry out hazardous fuel reduction projects addressing threats of catastrophic fire that pose a serious threat to human life, as determined by the Forest Service. (Section 1105)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(11) Eastern Nevada Landscape Coalition

The Senate amendment authorizes the Secretary of Agriculture and the Secretary of the Interior to make grants to the Eastern Nevada Landscape Coalition for the study and restoration of rangeland and other lands in Nevada's Great Basin in order to help assure the reduction of hazardous fuels and for related purposes. (Section 1106)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(12) Sense of Congress Regarding Enhanced Community Fire Protection

The Senate amendment states that it is the sense of Congress to reaffirm the importance of enhanced community fire protection program, as described in section 10A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106e) (as added by section 803(b) of the Farm Security and Rural Investment Act of 2002 (Public Law 107 0917); 116 Stat. 473). (Section 1107)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(13) Best-Value Contracting

The Senate amendment allows the Secretaries to use best value contracting criteria in awarding contracts and agreements. Best-value contracting criteria includes the ability of the contractor to meet the ecological goals of the projects; the use of equipment that will minimize or eliminate impacts on soils; and benefits to local communities such as ensuring that the byproducts are processed locally. (Section 1108)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(14) Suburban and Community Forestry and Open Space Program; Forest Legacy Program

The Senate amendment establishes within the Forest Service a program to be known as the "Suburban and Community Forestry and Open Space Program" (Section 1110)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(15) Wildland Firefighter Safety

The Senate amendment directs the Secretaries to ensure that any Federal contract or agreement entered into with a private entity for wildland firefighting services requires the entity to provide firefighter training that is consistent with qualification standards management direction established by the National Wildfire Coordinating Group. (Section 1111)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(16) Green Mountain National Forest Boundary Adjustment

The Senate amendment states the boundaries of the Green Mountain National Forest are modified to include all parcels of land depicted on the forest maps entitled "Green

Mountain Expansion Area Map I" and "Green Mountain Expansion Area Map II", each dated February 20, 2002, which shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Washington, District of Columbia. (Section 1112)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(17) Puerto Rico Karst Conservation

The Senate amendment authorizes and supports conservation efforts to acquire, manage, and protect the tropical forest areas of the Karst Region, with particular emphasis on water quality and the protection of the aquifers that are vital to the health and wellbeing of the citizens of the Commonwealth; and promotes cooperation among the Commonwealth, Federal agencies, corporations, organizations, and individuals in those conservation efforts. (Section 1113)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(18) Effective Date of Section 10806 of Farm Security and Rural Investment Act

The Senate amendment states Section 10806(b)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d; 116 Stat. 526), is deemed to have first become effective 15 days after the date of the enactment of this Act. (Section 1114)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(19) Enforcement of Animal Fighting Prohibitions Under the Animal Welfare Act

The Senate amendment amends Section 26 of the Animal Welfare Act. (Section 1115)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

(20) Changes in Fines for Violation of Public Land Regulations During a Fire Ban

The Senate amendment contains provisions to modify the penalties for violations of fire bans. (Section 1116)

The House bill contains no comparable provision.

The Conference substitute strikes the Senate provision.

From the Committee on Agriculture, for consideration of the House bill and the Senate amendments, and modifications committed to conference:

BOB GOODLATTE,
JOHN BOEHNER,
WILLIAM L. JENKINS,
GIL GUTKNECHT,
ROBIN HAYES,
CHARLIE STENHOLM,
COLLIN C. PETERSON,
CAL DOOLEY.

From the Committee on Resources, for consideration of the House bill and the Senate amendments, and modifications committed to conference:

RICHARD POMBO,
SCOTT MCINNIS,
GREG WALDEN,
RICK RENZI.

From the Committee on the Judiciary, for consideration of sections 106 and 107 of the House bill, and sections 105, 108, 115, and 116 of the Senate amendment and modifications committed to conference:

F. JAMES SENSENBRENNER,
Jr.

LAMAR SMITH,

Managers on the Part of the House.

THAD COCHRAN,

Kiowa Association
For the
Preservation of Cultural and Rural Lifestyles

November 4, 2003

Via Certified Mail
Return Receipt Requested

United States Department of the Interior,
Bureau of Indian Affairs
Secretary Gale Norton
1849 C Street N.W.
Washington , D.C. 20240

Re: Letter of Discrepancy

Dear Honorable Secretary Gail Norton

As National Director, Michael C. Turner of the Kiowa Association for the Preservation of Cultural and Rural Lifestyles and a Kiowa Tribal member of the Kiowa tribe of Oklahoma, acting in good faith hereby file this Letter of Discrepancy with the Department of the Interior, Bureau of Indian Affairs, on the grounds Senate Bill 736 and House Resolution 1532 which are attached as a rider to House Resolution 1904 under the "Healthy Forest Restoration Act," which are currently on the floor of congress at this moment, all three Bills are being pushed through committee which are raising a serious concern in Indian Country due to the fact that there is an attempt to establish precedence by importing the Animal Welfare Act of 1976 and its amendments into Indian Country which is a threat and Violation to Sovereignty, Indian Commerce and abrogation of Treaty Rights, and the Kiowa Tribe of Oklahoma tribal ordinance for the Preservation of Cultural and Rural Lifestyles passed by the Kiowa Indian Council in an election and ratified by the Kiowa Business Committee on May of 1998, (Note: Exhibit A and B), if these two bills are passed by Congress and signed into Law this will set the stage for special interest groups to push more legislative amendments through Congress with devastating effects to Hunting and Fishing rights and exercise of Cultural, Religious and Rural activities by Indian Nations and their members throughout the United States of America in which the Department of the Interior, Bureau of Indian Affairs has a fiduciary trust responsibility to protect those rights from infringement and conflicting Federal Indian Law.

The concerns raised over these two Bills warrant reconsideration and clarification by Congress, in both the House and Senate, are as follow:

- 1.) Where Tribal Leaders and Members informed and given any consultation and input by the Department of the Interior, Bureau of Indian Affairs and Congress concerning the implication these two Bills would have on Tribal

- Treaty Rights, Indian Commerce, Divestiture of Sovereign Powers which are guaranteed and recognized by the highest courts, under the Supremacy Clause of the Constitution of the United States of America ?
- II.) Where procedural steps followed by Congressional leaders and co-sponsors of both Bills as to whether there was any discrepancies and misrepresentation of the facts?
 - III.) Can Congress import the Animal Welfare Act of 1976 and its amendments into Indian Country risking abrogating Treaty Rights and infringe on Indian Nations right to self-govern?
 - IV.) Is it possible to import Felony Laws into Indian Country, when Tribal Courts and C.F.R. Courts of Indian Offenses can only handle misdemeanor offenses?
 - V.) Will the United States Department of Agriculture dictate overriding policy over the Department of the Interior, Bureau of Indian Affairs concerning the implementation of rules and regulations?
 - VI.) Will the United States Department of Agriculture regulate Indian Commerce, when Tribal Governments are pursuing Self-determination and exercising regulatory authority within and outside the boundaries of their reservation in pursuit of economic development and Indian Commerce with interested parties, (Non -Indians) who have entered into consensual consent and whose rights are protected under the Indian Civil Rights Act of 1968, when Tribal Governments already have established through Tribal Ordinances, recognized by applicable 25 Code of Federal Regulations of the Bureau of Indian Affairs, (Note: Exhibit C and D), Cooperative agreements, Licensing and Compacts in areas of Cultural and Rural activities for the purpose of raising needed revenue for tribal government services and tribal municipalities through taxation and economic development?
 - VII.) Can Congress restrict Indian Commerce in good faith the proprietary rights and Liberty of Indians, which are guaranteed under the Articles of Confederation and the North West Ordinance of 1787, on those issues concerning the use of feathers, animal use and other animal paraphernalia's which are historically a way of life and resources for Indian nations, past, present and future before the founding of the United States of America in pursuit of Religious, Cultural and Rural Lifestyles, that do not pose a Political, Economic, Health and Welfare threat to the United States of America?

It is of the utmost urgency that as Secretary of the United States Department of the Interior and Bureau of Indian Affairs, that you take immediate and appropriate action to rescind Senate bill 736 and House Resolution 1532 as well as House Resolution 1904 which both bills have been attached as a rider under H.R. 1904" Healthy Forest Restoration Act," until all Indian Nations within the United States have input and consultation, if no remedy has been established, then as National Director of the Kiowa Association for the Preservation of Cultural and Rural Lifestyles, it will be my duty and

obligation to seek Declaratory Relief in the Federal Courts. It is therefore requested that a written response be given within twelve calendar working days upon receipt of this letter.

Michael C. Turner

Michael C. Turner, National Director
-of the-

Kiowa Association for the Preservation of
Cultural and Rural Lifestyles.

H. C. 30 Box 945

Lawton, Oklahoma 73501

(580) 492-5983

cc: Committee on Indian Affairs
United States Senate and House
836 Hart Office Building
Washington, D. C. 20510

National Congress of American Indians
1301 Connecticut Ave. N. W. Suite 200
Washington, D. C. 20036

Subscribed and sworn before me, the undersigned authority,
this 5 November 2003

Debra Sweeney

NOTARY PUBLIC

My Commission Expires: 3-7-2004
#4074

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Kiowa Association
-for the-
Preservation of Cultural and Rural Lifestyles

December 19, 2003

Via Certified Mail Receipt
Requested

Department of the Interior
Bureau of Indian Affairs
1849 C Street N. W.
Washington, D. C. 20510

Re: Requesting written response to Letter of Discrepancy

Dear Honorable Secretary Gail Norton

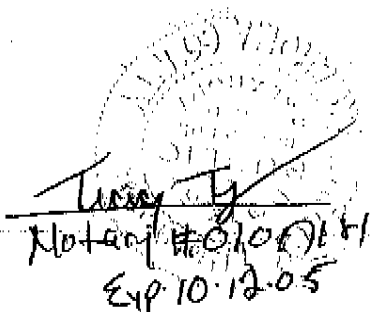
As National Director of the Kiowa Association for the Preservation of Cultural and Rural lifestyles, a Letter of Discrepancy was sent to your Offices for a written response on November 5, 2003 in good faith concerning Senate Bill 736 and House Resolution 1532 As of this date and time there has been no written response or acknowledgement, therefore this letter is hereby written to request another response or acknowledgement in writing within twelve working calander days upon receipt of this letter. As national Director of the Kiowa Association for the Preservation of Cultural and Rural Lifestyles and its members would like to exstend a sincere thank you.



Michael C. Turner, National Director
-of the-
Kiowa Association for the Preservation
-of-
Cultural and Rural Lifestyles
H. C. 30 Box 945
Lawton, Oklahoma 73501

Cc: Committee on Indian Affairs
United State Senate
836 Hart Office Building
Washington, D. C. 20510

National Congress of American Indians
1301 Connecticut Ave N. W. Suite 200
Washington, D. C. 20036



Tracy J. [unclear]
Notary #01000161
Exp 10-12-05