

Radio Interview with Judge Zvenia

Here is my edited copy of a recorded radio interview with Judge Zvenia speaking about how there can be great protection for members of the Native American Church (NAC). Even though this interview was a few years ago, the Judge's insights to what is happening are quite informative for all people's wishing to be Medicine People.

This interview was edited by me to less than half of its original length. Editing of this audio recording was for clarity, length, and also to fit specifically with the entire NAC not just a specific independent branch. Any other NAC name has been changed to just NAC. Even though this interview has been edited quite heavily, the overall message should still be clear. For those wishing to receive a copy of the complete recording, please contact me.

Sincerely,
Man Found Standing

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Interviewer: First off, I'd like to introduce to everybody the honorable Judge Ben Zvenia. Now I'm going to go ahead and I'm going to read off of your business card, Judge, just to give people an idea of who we're talking to, because I think this is a great opportunity for all of us to get an in on this conversation.

"The honorable Benjamin Zvenia, doctor, PH, JD, Judge Pro Tem ***Inaudible*** Apache tribal court and pallet justice Pro Tem Alumina tribal court. An illuminist of the national judicial college, a member of the District of Columbia Bar Association, the ADA, the NVA, the NNADA, the NIDA, and admitted to BFR and tribal court system.

Judge Benjamin Zvenia: Let me give just a little bit of, uh, talk for a moment. Medicine is changing. And I said it from the standpoint of somebody who – my family are doctors they're M.D.'s, D.O.'s, I was considered the black sheep, I went and got my N.M.D. and to anyone who wants a career in medicine now, I can go back and show you congressional records saying that, as far as the medical community was concerned in the '30s, they wanted nothing to do with plants, roots, seeds, barbs, herbs, vegetables, and salts in the compounded or un-compounded state, but the reality is that is where your classic drugs come from.

What you've got is when you take a look at what I call officious medicine and reauthorization and the re-recognition of where Indian sovereignty and rights come from. You have what has always been the model that I've always said "Hello". Because normal if you've gone down the path of the church and hands on at healing the sick – yes, she's got Christian scientists, and yes she's got belief in Scientology, but for all fanciful purposes, no matter what you want to do you'll come under the board of medical examiners, you'll come under their jurisdiction. And I've never really seen a church survive the practice of medicine unless that person was also licensed by a board.

We'll also take a look at what is out there from a stand point of health care. I started to mention the fragmentation that exists with the naturopath. The fragmentation that exists means that nobody wants to get together and play on the sand lot and what that means, naturopath in 25 years will also probably be a thing of the past. Because modern medicine has decided and I say this as one of the first and one of the only original naturopaths that was at the scripts first ever integrated medicine ***Inaudible*** conference for that program was done because you had the American board of holistic medicine.

What MDs have said they don't want, they want in. And you can take it back to 1996 and to the Journal of Medicine when at that time 16 billion dollars was being spent on alternative health care and supplements. Now in 1984 the balance changed and that is what has given acupunctures the right to do what they do in all states. This came out of Texas. Naturopaths should have had their act together and been in all 50 states instead they fight among themselves and are losing ground.

You add that on top of the situation that exists with the organizations fighting each other, no new real laws have just occurred, including the firing of the state staff who basically decided that they ***Inaudible*** and screwed every naturopath who's been practicing under the Smith provision since the '50s was a problem. The governor was cleaning house.

Now, what that means is that there will be probably two or three tier system allowing practitioners to move up and down based upon education and training. That is the good news, but I think Idaho will be one of the only models out there. How long it lasts; time will tell. D.C. almost launched a two tier system. They're still sticking with the original law and the books of 1984 and for all practical purposes that is in violation of congressional law. ***Inaudible*** I was asked to be on their board, I turned that down. Most of you naturopaths ***Inaudible*** the majority of your arsenal is diet, nutrition, and lifestyle change.

The reality is naturopath has always been a teacher, modern medicine is trying to take healthcare and from how we take a look at healthcare and how we take a look at dietary supplements from a whole different angle. People have heard the word CODEX, yes theirs a German model of how commission studies started in 1994, 1996, it is existing, it has changed how things are done in Europe and how they are done in the free world. These talks are still going on, but it isn't ***Inaudible*** that's driving it, it's really the World Trade Organization.

It's how to get market placed products to the free world. It's the WTO. That says how you can take your product, let's say it's the greatest weight-loss supplement, and you want to sell it in Japan. You can't just go to Japan anymore. You used to be able to deal with the FDA equivalent, and get it in. If it was in, it's grandfathered. But now if you're a new company trying to get it out there, you're under World Trade Organization. What it is, if it's a drug, it's handled by WHO? WHO, being World Health Organization.

If it's a food, it's handled by WTO. Dietary supplements and upper limit are still a thing of nobody knows what really is coming down. There have been talks in Japan, there have been talks in Thailand, and in this first week in December there was an FDA meeting regarding upper limits in Washington D.C. We sign treaties that make what happens in the US, shall we say, kind of coming with considering the world treaties that we sign. And what that means, the comment known as "transparency in health care" the bottom line, it's either of food or it's a medicine.

Dietary supplements are going through what is known as a hunted period right now. Anybody who is in the alternative health care arena has got a problem because you can't tell the Idaho board, from the medical board as the new naturopathic board was getting its roots in place. Because of German law, allows these people to prescribe this class of article, well, we're not going to have this class of article.

It's either a food or a medicine. So, if it's a medicine that means it's a DEA number and a BNDB registration for that practitioner to dispense. The reality is if you're out there, I'm gonna use the word hawking, for whatever better reason to use that word of product you're going to be in a strange situation with the upper company if you're an MLM or if you're just a person normal, selling products.

The whole thing is about to maybe change the situation. Of course there are grandfathering laws and grandfathering provisions and there's gonna be enough for arguments that says any new law expo facto and those that are in and protected. Okay, fine, if you're in and protected, what about everybody else? We live in

the land of the free and home of the brave. That says that if we don't watch our rights, if we are not vigilant at all times, we can lose what we consider liberty.

And it really is encumbered to wonder what happens about us and our neighbors. Now, unfortunately, we can't be isolated. And in the health care industry or in the alternative health care industry if you watch what's going on and what I call the new boards or the new stuff, you got medical boards creating what is known as the board of holistic medicine which is going further into dietary and ***Inaudible*** in my mind is the writing on the wall for all alternative practitioners.

And I'm also gonna say from this perspective. States are looking at what makes sense to do mandatory, shall we say, minimize budgetary shortfalls. Why am I paying five medical directors or executive directors for boards?

I see the states saying why not one executive director, one super board, one general license as a healthcare practitioner specializing in medicine, specializing in ***Inaudible***, specializing in whatever. Each would save money to the state. And what that also means is that the general boards, from the general practice of medicine are really going to dictate what happens to the other boards. Will it happen in my lifetime? I believe it will. Cost and economics are going to drive states to look at super boards, but as we get into more and more, shall we say, deficit spending and deficit ways to try and save money on states I see it as being a model that is something we have to be concerned about.

Now, that all said, the Indian Equation changes the model. We look at, I want to use the term, Anglo-Saxon law. White-man way. Well, just because its white-man way, doesn't mean it works on an Indian reservation. On an Indian reservation, white man law has no business on the reservation, unless it's a major crime. Normal rule of thumb for reservation is that it's tribal law, tribal law and order codes, as well as any federal law and overlapping state law unless state's have what is known as public law 280 jurisdiction. We'll get into that, that's a whole law school talk. You have a real hard one telling me that a new law and a new treaty supersedes a treaty I already have, we never had a chance to have our original treaty and a change in law heard before the U.S. Supreme Court.

Who's telling me that 21 USC and 21 CSR supersedes 25 USC, 25 CSR and the tribe's treaty. That is what makes the difference. With respect to what NAC offers, it offers the way for another class of practitioners to exist, you have existing case law that basically covers attorneys and doctors, that as long as they're taking care of an intermediary process a state process can't harm them.

So if I'm a medicine man and I've got someone off the reservation coming to see me at my home or at my office and all I'm treating are people who are coming to see a Native American Practitioner for what a Native American Practitioner has to offer and as long as there's big tenants and big disclaimers that's like a naturopath in D.C. and a disclaimer that says I'm not a medical doctor I don't treat you the allopathic model. 'Cause people are coming to see me as a naturopath.

No, I'm not an MD, you can't confuse me saying "No, I thought he was an MD. He advertised, he wore a white coat." Doesn't work like that. The idea is that he's coming to a medicine man for that spiritual guidance and holistic cleansing and what our way of life has to offer. Now, that'd be an interference of freedom of religion, that'd be violation of Native American Practitioner Act, and that will be met with the full force and protection by the Department of Justice.

Interviewer: Hmm, powerful stuff...

Judge Benjamin Zvenia: Interfere with federal law, federal law supersedes conflict of law, supremacy clause, the federal law and all treaty supersedes. So what NAC has to offer is a way, and it's a change from how white man think has to do with healing, has to do with our way of culture and our heritage and if people are looking

that as the model that number one, agrees with the reason why ***Inaudible*** and it gives them a glimmer as to why they're ***Inaudible*** there are some things that can be done.

The other part of NAC is the feds made the rules; the tribes to governments are government to government relationships. NAC is looking at putting itself, not just on a reservation, but re-solidifying itself as a mainstream Medicine Man Practitioner shall we say, outlet. The idea is – it's a way of life, it is a religion to a point, and it's a way of slowing down what's going to happen within the nutritional industry.

Because the Indians have known that there were programs that were even put on by scientific American – when the Native American went to the white man diet, we now have what we have now. Diabetes, glaucoma, diabetic necropolis, cardiovascular disease, chronic obstructive pulmonary disease, kidney problems, ***Inaudible*** and the rest. But when the Natives went back to their traditional diet, their health improved. So the idea is if you push the people back to what their diet was supposed to be. If you put them on the road to proper nutrition – which includes, in my mind, supplements – and it's done to the ***Inaudible*** of our teaching, our way of life, the odds are you'll still have your business.

And the bottom line is most people in alternative medicine never liked the idea of the allopathic model. We use the allopathic model because it pays the bills and it drives client source. But if we do our job correctly, and we heal people, this health care venture can make sense. The people that are into positive lifestyle, lifestyle changes, positive healthcare benefits, you're going to be able to continue to do their health care benefits, you're going to still consult and take care of your constituency, but the model is changing, the reason they're coming to see you is changing. They've got to change.

Interviewer: Mmm, yeah. Becomes ceremonial. And that's an important word in the law; ceremonial. It's bringing the sacred back into medicine, bringing the sacred back into healing. We got away from that, we stepped away from it, but we need to bring it back, because as you say it's a life way.

Judge Benjamin Zvenia: Healing should be the body, it should be the mind, and it should be the soul. It's all three.

Interviewer: If I own a health food store, will membership be a value to me and my store?

Judge Benjamin Zvenia: Yes and no at the same time. Besides me being a tribal court judge I am really a Native American, shall we say, law practitioner. The idea is you've got a health food store, because you've got a business licenses and retail and resellers tax permits you've got to follow what state law says. With all due respect, does it maybe make sense to maybe also create a secondary business at a secondary location and do it as an apothecary for NAC so members could come to you that would then be a different program and would not be open to the general public.

Because what you do as a health food store you are regulated, whether you like it or not, state local and county laws, but if you open up a second business and you've got your stock there and all you're doing, you're taking care of NAC's request, or NAC practitioners request, or we're sending our clients with a NAC prescription to you to fill as an apothecary I believe since you are taking care of an intermediary function for NAC state local and county licensing will either have to give you an exemption or leave you alone.

Interviewer: It's almost like having our own pharmacy, in a sense.

Judge Benjamin Zvenia: You have private pharmacy, she's got private banking, and you've got private clubs. Who is the state to say no? Because you've got case law decisions ***Inaudible*** vs Florida, as old as Rittenhouse. As long as that attorney was doing bankruptcy or patents and people were coming to see him for their patent applications to be prosecuted that was not an authorized law in Florida, the state board had no jurisdiction. As long it's going to a federal agency, they can't touch it.

So, it's the same thing with someone seeing a Native American practitioner for an Indian divorce, in an Indian court. State bar has no authority, state jurisdiction has no authority. It's like having a medical office and you're doing social security exams and investigations for social security, railroad board, labor and retirement. If it's for the feds, state can't really say "Oh, you're not licensed in this state Dr. so and so. It's illegal practice of medicine." No, I'm doing it on the reservation, or I'm doing it for a federal agency. It starts to change the dynamics.

Interviewer: Tell me judge, how does the program work for corporations?

Judge Benjamin Zvenia: It can't work for a corporation. It's gotta be of an individual. Now, if you've got a corporation that, let's say makes a product, what can help that company survive is if they've got an agreement with NAC, because they're providing let's say ***Inaudible*** for its practitioners. It's in the compendium, we have an agreement you're helping the tribe, you either grow some of the herbs on or off the reservation, or you doing a packaging or processing on the res. You're taking care of tribal entity. It's a tribal contract. There will be some sticky points, but that's easily enough worked out with state and local entities, with respect to what is known as certain consent decrees and certain what you call stipulating affidavits. As long as all I'm doing is making a product that's going to the reservation, it's not going in to interstate, shall we say, transportation or intrastate distribution.

But it's only for tribe and tribe practitioners your state regulatory authorities is going to have to scratch their heads and say "You know I don't want to get into this. Because odds are this goes before the federal court, or the US court of claims, or the US supreme court. Even here in local state courts they're going to tell us we're not interfering in the tribe's business. That's not our business, that's not our job. It's not us to tell tribes how to run their business or who they do business with. As long as they're willing to ***Inaudible*** to protect public health and safety, they're not a problem. It's almost like an exclusive contract, an exclusive agreement. There are sticky details to be worked out, and not all states have – you have to understand, state A to state B. There are differences in Georgia law just like there are differences in Florida law, and there some hellish differences between those to two states and New York and California.

But you look for where it makes sense as to what is the best legal variance, so you can continue to do your business without being obstructed by state or local authorities. So, let's say you're in California and between the California taxes and all the craziness, you figure you're just outside of San Diego. Maybe it's worth it to go three and a half hours, go further east out off Interstate 8, go to the **30:10 *Inaudible (Tribe Name)*** reservation in California that also borders Arizona, and put your business on the reservation. Number one you're out of the local county jurisdiction of politics, you're gonna pay taxes only to the Cheyenne, and you're gonna fall under tribe law and order code. So, I think for distribution purposes, you're by the Interstate 8, and you're by railroads. You're also close to airports. **30:29 *Inaudible*** All you're doing is changing the dynamics.

Now, if you're really dead-set on having an office in downtown Los Angeles, you might say 'Okay, I'll be in and out of the battle every six months, every year in a half', but if you keep beating them up, time after time after time, after – like a couple of nature paths in New Jersey, ***Inaudible*** the board of medical examiners decided you know, we're leaving him alone. He graduated from a school that predates the time medical board laws went on the books, he still wants to practice, he's entitled to practice, he's eligible for his license in all states, then give him his licenses – this is Jersey, we're leaving him alone. From six battles.

And like I said, when you understand the way CODEX ***Inaudible*** organization is going, there is also a craziness that will happen with respect to which you're servicing the Tribe or Tribal program, from now on well you say products ***Inaudible*** and the laws that have come down with the CODEX commission and existing with the talks that have come about from the world trade organization.

One of the things that came out is – they forgot about the tribe equation. Because They never let the tribe speak up or at least let a tribal representative speak up and come and speak in front of the World Trade Organization, and there will be some show of reconciliation on the tribe and I'll say well ***Inaudible*** Wakota. Who has their own Wakota products. They have a decent nutrition line. If they get big enough and they now are being approached by China, and they now are being approached by Russia, or they're being approached by any third world country because their product is cheap enough and it helps a need there, and they try to go sell it and ship it and they go 'Eeh' you need to comply with the WTL rules, I'm sorry, that tribe has the right to go 'excuse me, government to government', with the US department of congress and go 'Why weren't we represented? We never abdicated our right. We were never informed, US. You need to carve out an inch', and then the US trade delegation is going to have to go back to the World Trade Organization and go 'We need to talk. We have a problem.'

Interviewer: Let's bring that down to our low clearance. There are companies that would like to make product that become sacred. They can have products certified by the band, and that would become a great help to them, wont it?

Judge Benjamin Zvenia: Yes it will be. Remember, you're looking at servicing an item that has a right to exist.

Honestly, is this going to be a fix for everything that's out there? No. It's going to be fluid, it's going to have to be fluid, because there's been no monologue, as far as I know, other than the law saying 'The law will protect us class of Native American practitioners, traditional tribal healers, traditional Hawaiian healers, and Alaskan healers.' Either the law means something or it doesn't. If you don't know it, you might as well roll over and play dead.

Interviewer: If you're not interested, you know, go play in some other sandbox. But the model has been tested already a little bit in court, and we're winning-

Judge Benjamin Zvenia: That's right. They do not know what to do.

Interviewer: Well the states are throwing up all kinds of claims and the judges are simply saying 'well, when we look at the actual law, this is what we have to consider' and they're throwing them out.

Judge Benjamin Zvenia: This is a tribal item, this is a religious item.

Interviewer: We can't dictate who's a member, we can't dictate who's a minister. You know, they tried to say 'these guys are white, they're not an enrolled member in recognized tribes', like you are, but the Supreme Court said it doesn't matter, we cannot play favorites that way. That's an exciting opportunity. But I agree, I resonate with what you just said, if we're not willing to become a little activist, or a lot activist, in preserving our rights, then what right to we have to complain about this? Here is an opportunity to become proactive. Let's take it up. Next question!

Question - Woman: I am a massage therapist. How will this apply to me?

Interviewer: A massage therapist is already licensed, like an acupuncturist. But very often massage therapists exceed the scope of their license, their prescribing or suggesting or recommending health food supplements, dietary supplements, to help the sufferer. That's way outside the scope of their license. And if essential oils is their now being reclassified as new drug, and that's outside the massage therapist license as well. I guess the question is can they do that if they are Native American Practitioners and consider the essential oils as Sacred.

Judge Benjamin Zvenia: In a round about way they can, but the issue is who is your practitioner! You just said a massage therapist – who's your client? Is it the average Joe blow? I mean to you, because you're a

massage therapist, is it the doctor ordered massage? With all due respect, you in that office, at that time, are there as a massage therapist. Period.

Interviewer: Mmm. Okay. But if the massage therapist is your minister, and you're going to them for ministry, how does that apply?

Judge Benjamin Zvenia: It depends on the contract, it depends how you are looking at services, and also, I'll be honest, the feds are going to look at billing and time. And at least think of the model as to what we're doing and how people are coming to see you. And I'll say it this way as a judge; "If it looks like a duck, quacks like a duck, and walks like a duck, and it's duck season, it's in the pot."

The law doesn't say ministers can't receive donations.

Question - Man: The bishop asked me a question earlier today, something he was interested in. As a bishop or as a Spiritual Leader to people, if he wanted to go and suggest something to one of the members of his ward he wants to know how this would help be able to be safe, by becoming NAC, or if he's safe in his current religion, what would it take for his current religion, what would it take for his denomination or his religion to protect him. He kind of wanted to know, for he and his member, what he could do to help them as Native American Medicine Men.

Interviewer: Religions by declaration have their own doctrine, and tenants of their own doctrine. As a bishop of your denomination you have ***Inaudible*** you're outside of their jurisdiction unless you commit a capital crime. The downside is that it all has to be written in tenet as a foundation or establishment of religion. So if you didn't have the forethought to write that down, you can't go in after the fact and say it's okay for me to have revelation when it comes to healing. So, judge, how does that work with the Native American concept with our concept of medicine man and medicine woman?

Judge Benjamin Zvenia: The question boils down to as time goes back, to structural function. For it to work, we need to know where the bishop is coming from. You've got to understand, the Indians have always balanced religion from a standpoint, be it the Baptist, the Lutheran, the catholic school, and all of their statements show us their ways. It's more a matter of how we want to harmonize two religious concepts and tenants so they work in harmony with one another. And as the bishop moves, you may have members of the church say 'nope, I'm going to stay staunch Baptist, I'm not movin' to that'.

Interviewer: If I understand what you're saying judge, it really depends if the bishop takes up the role of medicine man in the parish, and the reason that people come to you. We're not in the business of dictating doctrine, but we are in the business of supporting people of faith who are healers. And so it would be a matter of understanding the focus, the goal, the structure the function of the minister in the group, is that what you're inclinating?

Judge Benjamin Zvenia: 'Cause like I said, the idea is both of these can merge together, but it's going to be taking time, because the bishop also asked this to others. The bishop is an intermediary rank in most religions. You've got a bishop, you've got an arch bishop, and on the catholic side you got cardinal and up. But the idea is he's got other hierarchy he has to answer to, and the question is, is he going to be in danger of losing ***Inaudible*** or is this something that can be merged with ***Inaudible*** so that both sets of beliefs can be harmonized.

Interviewer: Right. Harmony is the issue, balance and harmony. So that would have to be something that the bishop would have to find out, if it's okay, or if it's the case that the bishop is on the top of the food chain, so to speak, you know, you'd have to look at the implications of making it okay.

Judge Benjamin Zvenia: So, based upon that, I believe once that is looked at, all this interface without a problem, but there may be some sticky points that has to be talked about and negotiated. But I don't see it being a problem.

Interviewer: Yeah, the doctrine harmonizes beautifully, but in some cases when you're an organized church, in this case a bishop, when you're not an individual of faith but somebody who has stewardship and pasture of a flock, there would be some things to work out there, but I think it would probably, from what I understand, would work very well.

Would you speak briefly on the adoptions, why and what it entails, and what are the benefits, as you see them.

Judge Benjamin Zvenia: Well, the benefits are going to be growing and morphing. Let me say it that way. As of right now you have a NAC, you have an adoption by the council of elders running the church. It pretty much moves you away from the Anglo way of thinking into more understand and thinking more of the Native philosophy, and shall we say, tenants, that the council of elders has the NAC belief system, basically, ***Inaudible***. As it continues to grow and becomes a tool of economic development of the tribe, the NAC program becomes an outreach of that tribe and the adoption end up being a way for the tribe to also increase it's members. That becomes a way for those rural tribes survive.

In order for someone to be adopted, someone can't say 'Yo, adopt me' it ain't gunna work, it ain't gunna fly, and it ain't gunna mean anything. The idea is if you really want the benefits that – to be derived by an honorary membership, to a fully adopted member of the tribe, I'll explain it from this concept. An honorary member of the tribe has the right to hunting and fishing on tribal land, and the right to land use. They have the right to ***inaudible***, they have the right to be seen and they have the right to give opinions. They have the right to help the tribe, and the tribe looks to them as a body that wants to help them.

But the benefit is, think about it, if you want to go hunt big horn elk, big game shoot, you don't need a hunting license, you want to go fishing, you want salmon, you want crab, as an honorary, member of the tribe, you're gibing that status to all tribes because Indians always did business and commerce with ***Inaudible*** but honorary status will take you to other tribes and reservations. But if you end up being fully adopted by that tribe, you now a member of that tribe. And there are white people that are literally adopted by Navaho and other tribes, and they are on tribal rolls. And for all practical purposes, if they want to have that minority recognition, they can, because they are a member of that tribe. And if the tribe has economic benefits, as a tribal member, you get a share of the proceeds and benefits of that tribe. Interviewer: That doesn't really apply to NAC at this time. Spiritual Adoption ***Inaudible*** create membership in the church, like baptism,

Interviewer: Right now it is our mode of accepting membership into the church and traditional organization. But uh, it would mean a lot, see this is how we make ministers of our church – you can't become a minister of the NAC and a Medicine Man or a Medicine Woman if you're not a member, so there are benefits.

The benefits of adoption are that you become spiritually one of the family, of relation of all the healers in the band. That to me has a whole lot of merit, there's a lot of metaphors we can go into there. But that's how membership was derived with the wording and the ceremony that we choose.

Judge Benjamin Zvenia: The benefit of all this can be seen from the standpoint of what the medicine man use to ***Inaudible*** regarding Native Americans as a race. The Native American's Free Exercise of Religion Act.

Interviewer: Let's say one of the Native American Medicine Men or Women who is actively on the healing path and they do and they remember the Ceremony and they start the day off with their Sacred Ceremony to open their Medical Bundle and they are out there teaching and they're healing as a Native American Medicine Man or Woman, and somebody complains or some district attorney wants to prosecute them what happens at that point?

Judge Benjamin Zvenia: *Laughs* If someone is following the tenants of the church, they're doing everything according to what we teach in the church, doctrine and religion or what's accepted by tribe, no district attorney in their right mind will even think of going down that path because their not opening themselves up for damages.

Interviewer: Yeah, and very really damages as the precedent has already been set. And that's what makes this exciting. Let me at them. Now, here's the kicker though, we've had some people, quite a few people, who have just filled out the forms and made their offering and said "Yeah, yeah, yeah." And did absolutely nothing. Those people are inactive. Those people are suspended. They are not acting ministers. You must be in a position where you can hold good integrity, all good intentions, make a covenant, not only to continue your studying, even if it takes your life to do it. It is after all a life way.

But the process is simple. The process to begin is simply the making of the covenant. Here is the form. It requests consideration, as an applicant you are not filling out a form that becomes essentially your matriculation, you are filling out a form and signing it stating that you are making a commitment, a covenant, that you will do certain things. One of them is, of course, that you will continue to study and never think that you know everything because that's a trap. It's a life-way.

Even if you graduate as a Native American Practitioner and do the residency and have all of those accolades, you're going to have to continue to study because you will go inactive and you will be suspended if you don't do your continuing education. We're going to be very strict on that.

You've got to be ready to, at times when you are called upon to do so, stand up and say "Hey, look. This is real to me, and this is why it's real to me. This is what I do that internalizes all of this every single day."

Yeah, we're not really in the business of deciding how you oblate, what you do in your ceremony. We will provide for you a basic structure, whether you stay with that basic structure or not, is up to you. Every Medicine Man and every Medicine Woman receive their Medicine, and what we say is from the ancestors from our grandmothers; from our grandfathers. But in the beginning you have to learn something and you know a Ceremony is important, it's stipulated in the law, in the Native American Free Exercise of Religion Act. You can use plants, you can use stones, you can use all these things to qualify as natural healing, so long as it's a bona fide Ceremony. That's the ticker. So, the first thing you'll be learning. The Ceremony and then we would want you to write out a thesis or some explanation of how you are harmonizing with your belief system, how it works. We're going to be flexible there.

All good things are good by definition. And if you're like I am, I'm looking for good in every religion. I'm not about going out and choosing sides. Ceremony is the operative. It must be a bona fide Ceremony and so if everybody begins with the Bundle Opening Ceremony, which is harmonious to all beliefs, then they're going to be able to be active in this program, proactive in this program.

Person Question: Let's say one of the members, one of the Medicine Men or Medicine Women are following the beliefs and someone is foolish enough to prosecute them, someone wants to pursue them legally in any fashion, what happens? What protection does the band offer them?

Interviewer: Representation.

Judge Benjamin Zvenia: Assuming you are following our tenants, assuming you are following what the training and the doctrine says. I pity the first DA or city attorney or medical board investigator that thinks he's got something.

The reality is, we're going to move very carefully. Especially if the person has a credential with the Church 'cause I'll be honest, I've seen nature paths that have tried to do things under ***Inaudible*** church. You can't just call up the church, the holy rollers rolling in. You gotta exam room, you got an x-ray machine, eeh, sure, it doesn't look like a church. You know? I'm sorry there.

I'm not telling you not to act clean and sterile, I'm not telling you that when you really got a patient or a tribal member that does come to you as a Medicine Man, under the Indian Practitioner act, seeking your help to help them, the reality is you've got to set the office up to look different from a medical office.

I'm not telling you that you gotta do the same thing, but you're using different terminology and you're changing the consensus. It's like that Elder who's brought into Indian health service and is told you've got cancer. WE can do chemo, we can do radiation, we can do surgery, or we can also try our Traditional Way on you. And you might be surprised with what has happened with some of the healings that have taken place with the medicine men and the herbal concoctions that have been done and prayed over. You'd be surprised.

The first thing you need to ask yourself is 'do I want to stay in the AMTM model?', and that's how you want to answer. In my mind, yeah, is it kind of expensive to get into this, because you're probably gonna wanna open a separate office, a separate location, and open yourself up in a spiritual guidance in an Indian way, and ask, shall we say, your marketing director more about what NAC has to offer and as their coming in the door – think about it this way, when I say we're going to get probed, do you think that maybe the Church of Scientology has been probed a little bit lately?

You think the Christian Scientist didn't have their own hell to go through? What about Jehovah witness? I know doctors that are Jehovah witness that will do surgery, but they will not give any blood, no transfusion, just sodium chloride, but the bottom line is their beliefs have been tested too, but they've also been tested. Ours are a little different. It's not just us saying Constitutional First Amendment. It's us pushing Treaty, it's us pushing our way of life, and all we have to offer. And there is nothing that says people can't convert to our way of life, and our religion. If everybody can go out and prophesize, why can't we?

Interviewer: Hasn't really been done, and some of the tribes, and some of the leaders of the tribes, frown on that, and-

Judge Benjamin Zvenia: They don't want it! Because it's our way of life, and we're not doing the Anglo. But the reality is there's no reason we can't offer our benefits and services, and our diets and our way is available.

Interviewer: Right

Judge Benjamin Zvenia: And no one is going to interfere with us by telling people we have a different philosophy. We believe in gentle counseling. We do believe in talking to a member of our body, we do believe in telling them what is beneficial for what is their healing and healing, we do believe in laying on our hands. That definition can go ***Inaudible*** and that definition can go very, very, shall we say loose. And as far as our definition, we're into air, light, heat, water, earth, therapy, I discovered just about everything anybody would want to do.

This is, in general, to answer some questions, give you a different idea, a different concept that has a right to exist. The other big part I see being pushed is, if there's one Native American Practitioner a gazillion, if we tell congress you just screwed us out of what we have the right to do, how do you tell me I have the right to be a Native American Practitioner, and Minister or to help my tribal members, and then tell me the entire ***Inaudible*** is off the shelf where I can't get them. Hello Senator McCain, I have a problem.

We do not consider our self a minority but we are only class of people that hold a treaty with the government.

It's a whole different way of thinking, it's not convoluted, but it's a whole different aspect of how something can be done, by using what Congress gave us to our benefit.

I'll see how it comes out, see what makes sense, but like I said, Yes I'm a tribal court judge, but I'm not coming to you in that light, speaking to you as a tribal court judge, speaking to you in somebody versed in Native American law, speaking to you as someone who's versed as a Native American lawyer, as well as a Native American Healer who says this may be a better way.

Interviewer: Yeah, what a combination of talent. We really applaud you and really appreciate you. Thank you for your time.