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NUTRITIONAL NOTES

REFINED, ENRICHED AND WHOLE GRAIN BREAD

AS CONSUMERS, WE OFTEN WONDER WHAT KIND OF BREAD IS THE MOST NUTRITIOUS. WHEN THE WORDS REFINED, ENRICHED AND WHOLE GRAIN ARE USED, WHAT DO THEY MEAN?

WHEAT, A GRASS-LIKE PLANT IS THE STAPLE CEREAL OF MOST OF THE WORLD AND COVERS MORE OF THE EARTH'S SURFACE THAN ANY OTHER CROP. OTHER CEREALS ARE RICE, OATS, CORN, BARLEY AND RYE. THE PART OF THE WHEAT PLANT THAT IS MADE INTO FLOUR AND THEN INTO BREAD AND OTHER BAKED GOODS IS THE KERNEL.

THE WHEAT KERNEL (WHOLE GRAIN) HAS THREE MAIN PARTS-- THE GERM IS THE PART THAT REPRODUCES WHEN PLANTED, AND SO IT CONTAINS CONCENTRATED FOOD TO SUPPORT THE NEW PLANT. IT IS ESPECIALLY RICH IN VITAMIN E AND THE B VITAMINS NIACIN AND RIBOFLAVIN. THE BRAN, A PROTECTIVE COATING AROUND THE KERNEL SIMILAR TO THE SHELL OF A NUT, IS ALSO RICH IN NUTRIENTS. IN ADDITION, THE BRAN IS A SOURCE OF VALUABLE FIBER. THE ENDOSPERM IS THE SOFT INSIDE PORTION OF THE KERNEL CONTAINING STARCH AND PROTEINS (INCLUDING GLUTEN, WHICH IS USED FOR MAKING WHITE FLOUR). THE HUSK, COMMONLY CALLED CHAFF, IS UNUSABLE FOR MOST PURPOSES.

TO PRODUCE WHITE FLOUR THE MILLERS USE ONLY THE ENDOSPERM. TO PRODUCE WHOLE WHEAT FLOUR THE MILLERS GRIND THE ENTIRE KERNEL. DURING FURTHER PROCESSING OF REFINED WHITE FLOUR FOR THE MARKET, ADDITIONAL NUTRIENTS ARE LOST. THE BRAN LAYERS AND OTHER PARTS OF THE KERNEL THAT REMAIN AFTER WHITE FLOUR IS MILLED ARE USED AS LIVESTOCK AND POULTRY FEED. ACTUALLY THESE PARTS OF GRAIN CONTAIN MORE PROTEIN, MINERALS AND VITAMINS THAN THE ENDOSPERM DOES.

AS WHITE FLOUR BECAME MORE POPULAR FOR MAKING BREADS, BREAD EATERS LOST A VARIETY OF NEEDED NUTRIENTS. A 1936 SURVEY REVEALED THAT PEOPLE WERE SUFFERING FROM THE LOSS OF THE NUTRIENTS IRON, THIAMIN, RIBOFLAVIN AND NIACIN, WHICH THEY HAD FORMERLY RECEIVED FROM THEIR UNREFINED BREAD. THE ENRICHMENT ACT OF 1942 REQUIRED THAT THESE LOST NUTRIENTS BE RETURNED TO THE FLOUR. THUS, IN ENRICHED BREAD, IRON, AND THE VITAMINS THIAMIN AND NIACIN ARE RESTORED TO THE LEVEL OF THAT OF WHOLE WHEAT, RIBOFLAVIN IS ADDED TO A LEVEL HIGHER THAN THAT IN WHOLE GRAIN.

CONT.

NUTRITIONAL NOTES CONT.

TODAY, ALMOST ALL BREAD, GRAINS LIKE RICE, WHEAT PRODUCTS LIKE MACARONI AND SPAGHETTI AND CEREAL LIKE FARINA HAVE BEEN ENRICHED. ALTHOUGH THE ENRICHMENT OF WHEAT AND OTHER CEREAL PRODUCTS RESTORES FOUR OF THE LOST NUTRIENTS, THERE IS INCREASING EVIDENCE THAT WE SHOULD RETURN TO THE USE OF WHOLE GRAIN IN ORDER TO RESTORE TRACE MINERALS AND FIBER TO THE DIET.

SO REMEMBER WHEN YOU SHOP FOR BREAD, THAT BREAD MADE FROM REFINED FLOUR CONTAINS THE LEAST AMOUNT OF NUTRIENTS, BREAD MADE WITH ENRICHED FLOUR HAS HAD SOME OF THE VITAMINS RETURNED TO IT, BUT WHOLE GRAIN FLOUR CONTAINS MOST OF THE ORIGINAL NUTRIENTS. BE SURE TO READ THE LABEL TO FIND OUT WHAT KIND OF FLOUR WAS USED AND TO SEE IF ARTIFICIAL COLORS WERE USED TO GIVE THE BREAD THE LOOK OF WHOLE WHEAT.

NOTICE! NOTICE! NOTICE!

THE HEAP MONIES ARE NOW HERE!

THOSE OF YOU WHO HAVE NOT APPLIED FOR HEAP THE FOLLOING PEOPLE WILL TAKE YOUR APPLICATION.

CINDY LOLA - AT THE COMMUNITY BLDG.
FRANCES NICHOLAS - AT THE HEALTH CENTER

IF YOU RECEIVE SSI, SS, VA AND AFDC INCOME CHECK MONTHLY. IF YOU COME TO THE HEALTH CENTER WE WILL BE GLAD TO MAKE COPIES OF YOUR CHECK. WITHOUT VERIFICATION OF YOUR INCOME YOUR APPLICATION CANNOT BE PROCESSED. THE ELDERLY WHO LIVE AT THE ELDERLY COMPLEX SHOULD ALSO APPLY. SO WHEN YOU GET YOUR CHECKS NEXT MONTH PLEASE HAVE THEM COPIED BEFORE YOU CASH THEM.

BIRTHDAY WISHES

HAPPY BIRTHDAY WISHES ARE EXTENDED TO THE FOLLOWING PEOPLE FROM THE TITLE VI STAFF FOR THE MONTH OF FEBRUARY.

PLEASANT POINT

JOSEPHINE NEWELL	02-14-14
EILEEN NICHOLAS	02-14-20
SERAPHINE STEVENS	02-06-08
CHRISTINA TOMAH	02-08-07
NEWELL TOMAH	02-28-13

TOWNSHIP

ARCHIE LACOOTE	02-12-17
LOLA SOCKABASIN	02-20-11

ATTENTION TO ALL ELDERLY!

ON MARCH 5, 1982 WE ARE PLANNING A TRIP FOR THE ELDERLY TO GO TO BANGOR TO DO SOME EASTER SHOPPING. WE WILL BE TAKING 7 FROM PLEASANT POINT AND 7 FROM INDIAN TOWNSHIP. PLEASE CALL YOUR RESERVATION IN EARLY IF YOU PLAN TO GO WITH US.

WE WOULD ALSO LIKE TO MAKE A CORRECTION IN OUR LAST MONTH ISSUE. IN OUR ARTICLE ON HYPOTHERMIA NO. 4 READ TO KEEP YOUR THERMOSTAT NO LOWER THAN 60 DEGREES THAT SHOULD HAVE READ NO LOWER THAN 68 DEGREES. WE'RE SORRY ABOUT THE ERROR.

NOTICE

THE NEXT QUARTERLY WORKSHOP FOR TITLE VI WILL BE MARCH 23, 1982 AT PLEASANT POINT, TIME 10:00 A.M. PLACE: COMMUNITY BUILDING PLEASE MAKE RESERVATIONS EARLY.

THANK YOU

THOMAS N. TUREEN
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207/773-7166

January 29, 1982

THOMAS N. TUREEN

NEIL T. LEIFER

MEMORANDUM

TO : Tribal Governors and
Members of the Joint Tribal Council

FROM: Thomas N. Tureen

RE : Federal and State Income Taxation on
Per Capita Payments

Numerous tribal members have contacted me concerning the taxability of individual per capita payments. This memo is in response to those questions.

At the outset, everyone should understand two things which are unquestionably clear: 1) per capita payments to tribal members are exempt from Maine income tax and 2) that even if these per capita payments are subject to a federal income tax, a tribal member would pay tax only on that portion which was actually paid to him or her. For example, if a family received \$5,000 last year in per capita payments because it consisted of a mother, father and three children (all of whom were tribal members), the father would only report \$1,000 in income, or if he filed jointly with his wife and his wife was a tribal member, \$2,000. The \$1,000 which each of the children received would be reported by each of them separately if they had sufficient additional earnings to require them to file an income tax return (which would be unlikely).

It can be argued, however, that per capita payments from the tribal trust fund to individual members are also exempt from federal taxation. This argument would be based on language in Sections 5 and 9 of the Maine Indian Settlement Act of 1980. I have set forth the grounds for this argument in a separate memorandum.

It has been suggested that one could also argue that per capita payments were exempt from federal taxation because they constituted gifts. Under federal tax law, one does not have to report or pay taxes on a gift. The problem with this argument is that the Tribe is currently making the per capita

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payments in accordance with a tribal referendum which requires the tribal government to make the distributions. It is clear that a payment which is made as a result of a legal obligation does not constitute a gift. Thus, if the tribe wanted per capita payments to constitute non-taxable gifts, future per capita payments should be made by authority of the Tribal Council without a tribal referendum. If this were done, tribal members have a better chance of prevailing on the gift theory.

It is also possible that the per capita payments could be considered exempt income if they were paid as part of a tribal welfare program. This type of "governmental transfer" is generally considered exempt from taxation. While more research should be done if the Tribe wants to pursue this approach, if such a plan were followed, payments would be made to tribal members on the basis of some sort of needs assessment. The standards for need, however, could probably be quite flexible, and might include, for example, something along the lines of Canada's "family allowance" program. The Tribe could also avoid individual income tax problems for its members by not making per capita payments as such, but providing additional services with the funds instead.

Insofar as 1981 tax returns are concerned, I would recommend that members who choose not to report their per capita income as taxable income on their federal tax returns should include a footnote at the bottom of their return to the effect that "taxpayer(s) received \$ _____ in exempt Indian Trust Fund payments during 1981." By including such a statement, individual members will avoid any possibility that the government might later claim that they had fraudulently failed to report such income. If tribal members include such a footnote they should only mention payments that they received, not payments sent for their children.

If the Tribe wishes to clarify this matter, there are several things which can be done. To begin with, we could seek a formal opinion from the Internal Revenue Service on the question of whether the Settlement Act itself exempt per capita payments from federal taxation. We could also do nothing, and it is possible that the government would never raise the question. The advantage of seeking a ruling is that we will answer the question once and for all and avoid the possibility of the issue being raised at a later date and individual members being assessed interest and/or penalties. Also, a formal ruling now on the question of taxability, even if it

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were negative, would not be the end of the road. For example, if the Internal Revenue Service held that the Settlement Act itself did not exempt per capita payments from federal taxation, the Tribe could then seek to design an alternative program along the lines outlined which would be exempt.

TNT/sp