

Indian News Notes

By VINCE LOVETT

ELECTION: IN WASHINGTON STATE CUNNINGHAM LOSES, FOLEY WINS: Rep. John Cunningham, who introduced legislation to abrogate Indian treaty rights, will not be back on Capitol Hill. He lost to a liberal Democrat, Mike Lowry. Tom Foley, whom Mel Tonasket hoped to unseat, won by a narrow margin over Duane Alton. Tonasket, running as an independent, was reported as receiving about eight per cent of the vote — apparently not quite enough to achieve his goal. In other races: Sen. William Hathaway of Maine, who pushed through White House approval for an Indian land claims settlement plan that would not cost the voters of Maine one cent, found that was not enough. He lost to William Cohen, who has the distinction of being described by the *Washington Star* as “a poet and former college basketball star.” Maine’s former attorney general Joseph Brennan, who has been a steadfast opponent of most of the negotiated settlement attempts with the Indians, was elected governor. In South Dakota, another former attorney general William Janklow, not generally considered a great friend of the Indians, was elected governor. In Arizona, however, Governor Bruce Babbitt, who had won Navajo Tribal Chairman Peter MacDonald’s support by pledging support of the tribe’s self-determination efforts, was re-elected. Neither of the architects of the upcoming changes in Indian education required by P.L. 95-561 (formerly H.R. 15) will be back in the House. Rep. Albert Quie was elected governor of Minnesota and Rep. Michael Blouin of Iowa was defeated.

ALASKA NATIVE CORPORATIONS HAVE SUFFERED LARGE LOSSES: The Alaska Native Claims Settlement Act put 44 million acres of land and nearly a billion dollars under the control of native regional and village corporations. An article in the October 29 *Boston Globe* reports that this was not an un-mixed blessing, that with passage of the Act outside people started smelling profits and the natives, with little or no previous big business experience, have had to struggle with blunders and fraud. One Eskimo corporation administrator said ‘For the first few years, every time I turned around someone was offering me a bribe or a kickback.’ Roy Huhndorf, president of Cook Inlet Region, Inc., said, “At least \$40 million has been lost by the regional corporations due to corruption alone.” Jack Wick, president of Koniag, Inc., cited inexperience as a problem. “These are multimillion-dollar corporations, the presidents of which are fishermen, as are most of the stockholders.” Bering Straits Native Corporation which has lost \$26 million in less than three years is looking toward resource development to help it bounce back after surviving the threat of bankruptcy. The Alaska Native corporations, unlike Indian tribes, have no trust relationship with the United States. Like any other business corporation, they can go broke and be taken over by creditors and after 1991 can be bought up by IBM, Exxon or GM, etc. For the Alaska Natives, used to battling the natural elements, it is a different kind of struggle.

• **MOST NATIVES LAID OFF ALYESKA PROJECT:** Alaska’s *Tundra Times* reports that 34 of 37 Alaska natives working on maintenance of the Alyeska pipeline have been laid off since October 1 when the work was awarded by contract to a Des Moines, Iowa firm. Christine Yazzie, president of the native corporation Ahtna, Inc., said protests would be sent to the Secretary of Labor, Secretary of Interior and the Director of the Human Rights Agency. In 1974 Ahtna negotiated an agreement with Alyeska, granting easements for the construction of the pipeline in exchange for special consideration in contracting and Native hire. A corporation formed by some of the Alaska Native corporations bid on the work but was not awarded the contract.

PUBLICATION SEES RHODE ISLAND INDIAN SETTLEMENT AS PRECEDENT: A publication of the National Conference of State Legislatures (NCSL), commenting on the Eastern Indian land claims, sees the Rhode Island settlement as establishing a precedent. The report states that the out-of-court resolution “provides an indication of the Federal Government’s willingness

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to accept locally-developed solutions in land claim cases." Criteria for Federal acceptance of the agreements include according to NCSL, acceptance of terms by all other involved parties a substantial state contribution, a dollar ceiling and the settlement must rule out all future claims. The most recent White House-approved settlement of the Maine claim, it should be noted, does not include any real contribution from the state.

SAVINGS AND LOAN BRANCH ON RESERVATION CLOSES; NO BUSINESS: The First Federal Savings and Loan closed its branch office on the Navajo reservation Oct. 31, after extending only three mortgage loans in its two years of operation. Branch manager Elroy Drake said that the lending institution, opened to promote business development and housing construction on the reservation, proved unable to generate enough business to pay expenses. The branch had almost 2,500 customers and savings deposits, at one time, of \$2.5 million, but loans made totaled only \$82,000. One official said red tape was partly to blame. He said approval by the Navajo Tribal Council's advisory committee, the Bureau of Indian Affairs and several other regulatory bodies was required before a loan could be made.

BLACKFEET PURSUE OIL AND GAS TAX IMMUNITY: The Blackfeet Indian Tribe is seeking Federal court enforcement of a legal opinion that Montana does not have the authority to tax mineral leases on tribal lands. The opinion issued Nov. 7 1977 by Interior Solicitor Leo Krulitz dealt specifically with the Fort Peck Reservation. It notes that "states cannot tax trust property. . . unless Congress has consented" and concludes that a 1938 law governing the mineral leases on tribal lands does not include such a grant of authority for state taxation. Though the tribe and the Bureau of Indian Affairs notified state agencies and counties of the opinion, they have continued to collect the taxes. The suit asks "that state and county officials obey the law," said tribal chairman Daniel Boggs. Bruce McGinnis, chief attorney for the Revenue Department, said that the state disagrees with the Solicitor's opinion.