

# White House, Tribes Agree On Maine Land Claim Settlement

(Reprinted from Indian News Notes)  
By Vince Lovett

The White House and the two Maine Indian tribes announced February 10 a two-part proposal for settling the Indians' claims to 12.5 million acres of land.

Eliot Cutler, Associate Director of the Office of Management and Budget and one of three members of a Carter-appointed negotiating group, said: "Part I of the Memorandum sets forth an agreement between the Administration and the tribes in which the tribes, in exchange for a Federal payment of \$25 million, agree to give up all of their claims to 9.2 million acres of their 12.5 million-acre claim."

This provision would protect all involved landholders except the State of Maine and 14 companies each with holdings in excess of 50,000 acres. Cutler said that the President will recommend to Congress the

implementation of this agreement "regardless of whether any other party decides to participate in a settlement."

The other two parts of the proposal set forth the terms on which the tribes are willing to drop their claims against the State and the large landholders.

From the state, the tribes ask that the State's current appropriation of \$1.7 million annually for services to the two tribes be continued for the next 15 years with the annual appropriation, however, being paid to the United States Department of the Interior as trustee for the tribes. (The services, presumably, would be provided either by the tribe itself or by the Federal Government.)

From the 14 companies, holding about 3 million acres in the claim area, the tribes would extinguish all claims in ex-

change for 300,000 acres of "average" timber land and long-term options to buy another 200,000 acres at fair market value.

To encourage this settlement with the large landholders, the White House negotiating group agreed to recommend to Congress payment of \$3.5 million to the tribes to help finance exercising of the options and \$1.5 million to be paid to the landholders as a \$5 per acre token payment for the 300,000 acres. The White House would also seek from the landholders certain easements for the tribes and special hunting and fishing rights.

All property and cash obtained in the settlement will be divided equally between the two tribes and no part of the capital, the tribes have agreed, will be distributed on a per capita basis.

## SIGNIFICANCE OF AGREEMENT BETWEEN MAINE TRIBES, WHITE HOUSE:

Settlement of the Passamaquoddy and Penobscot Indian Tribes land claims in the State of Maine will certainly be precedent setting. If the White House proposal is implemented, then the claims of other tribes under the 1790 act will be supported bringing about a change in the basic question -- from whether to how much?

The upholding of the Indians' claims through negotiated settlements should also have other spin-off effects in a general strengthening of Indian treaty rights, including some which have been long dormant.

Opponents of the land claims have argued that such old rights shouldn't count; acceptance of the settlement by Congress would say that they do count.

Will Congress accept and

pay the \$25 million? The White House certainly thinks so. OMB's Eliot Cutler said that the Administration does not believe that problems are solved simply by throwing money at those who complain. He argues that they have studied the tribes' claims and believe them to be substantial, "not frivolous."

Finally Cutler sees the settlement as an inexpensive way of avoiding "the economic chaos that would be the result of litigation" and to protect "thousands of Maine citizens who own homes and businesses in the claims area."

With regard to the settlement terms the tribes have offered the State and the 14 large companies, Cutler described them as "a realistic compromise," though he acknowledged the possibility of the state and/or the companies choosing litigation.

# Forestry Ranks Expand To Better Serve Reservation

A number of new positions and some vacancies in the B.I.A. Forestry Department have been filled in the last two weeks, bulging the basement of the old agency building to its seams.

The additional staff means far more than crowded quarters. According to Forestry Supervisor Gunther Heeren, several programs will be beefed up to provide better forest management for the reservation.

Both permanent and furlough positions have been added to the forest development section (timber stand improvement, pre-commercial thinning, planting and site preparation), the sales preparation section and forest engineering (road-building).

Eight young men are fresh on the job and a few positions remain to be filled for a total forestry staff of thirty-eight permanent and four furlough positions.

Last year Congress appropriated \$10 million nationwide for each of the next ten years so the BIA might catch up on its backlog of timber stand improvement (TSI) work, including thinning and planting.

In 1977 Warm Springs received funds but no additional positions. This year the local BIA has been allotted \$600,000 to do the work plus \$198,000 for additional staff. As Timber Sale Administration Supervisor Bob Bolton remarked, "We have a lot of money available to do the work and we need the boys in the bush to get it done."

Bolton is happy with the batch of new foresters and technicians all of whom came through the civil service. "We are encouraged by the caliber and interests they have shown," he commented.

Last week the new staff members gathered at the community center for a morning of orientation. They were welcomed by the BIA Superintendent Jim Cornett and Administrative Manager Egbert Ward who briefed them on tribal affairs and BIA procedures.

The history and role of

forestry activities on the reservation were reviewed by staff, with emphasis on the tribal-BIA relationship and the importance of the forest resource to the Tribes.

As Bolton noted, newcomers to the reservation can't learn everything in one orientation program but this was a good start on a long process of acquaintance.

The five new foresters come from a variety of backgrounds.

Paul Brna (Forest Development) worked with the Bureau of Land Management in Colorado for a year and a half before coming to Warm Springs. He is a 1973 forest science graduate of Pennsylvania State University.

Ronald Recker (Pre-sale) previously worked with the U.S. Forest Service in Greenville, California for four seasons. He graduated from the University of Missouri in 1975 with a B.S. in Forest Management.

Terry Shand (Forest Development) received a B.S. in Natural Resource Management from the University of Arizona in 1975. He worked with the U.S. Forest Service in Arizona for two seasons before joining the BIA.

Larry Hanson (Timber Sale Administration) left the field of electronics and in 1974 earned a degree in forestry at the University of Minnesota. His previous experience is in the Ochoco and Wynema National Forests.

Jim Akerson (Timber Sale Administration) is a 1975 graduate of Oregon State University who gained his first forestry experience in Liberia with the Peace Corps.

The three forestry technicians also have a good deal of experience.

Phillip Kinney (Forest Engineering) studied timber management for two years and spent five years with the U.S. Forest Service in Michigan, marking, cruising, grading and scaling.

John Hojnowski (Forest Engineering) worked for two years in the Umpqua National Forest as a recreation technician and in

fire control. His schooling is in forest technology at the New York State Ranger School.

John Maxey (Timber Sale

Administration) has experience mainly in fire control and was a member of a "hot-shot" crew in Warner Springs, California.

All but two of the new staff are living outside Warm Springs because of the shortage of housing on the reservation.



New BIA foresters had a tour of the Warm Springs Mill last week. Supervisor Bob Bolton showed the holding pond to (left to right) Ron Recker, Jerry Kelley, Jim Akerson, Paul Brna, John Hojnowski, and Terry Shand. Not shown are John Maxey, Larry Hanson and Phillip Kinney. CDS Photo

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