

Gerard Briefs Warm Springs

When the Bureau of Indian Affairs' top man Forrest Gerard came to Warm Springs, he was fulfilling an inaugural promise to gather input from the 495 tribes served by the Bureau.

But he was also armed with information that he felt might concern tribal and B.I.A. officials here. The following are subjects Gerard addressed during his Warm Springs visit.

Indian Education

Gerard brought good news from Washington, D.C. about S. 991, the bill creating a Department of Education. Resistance from tribes across the country was rewarded by the Senate's

approval of the Sen. Stevens Amendment exempting the Bureau's Indian education programs from the proposed transfer.

Warm Springs was active in their opposition to S. 991, having sent letters to every senator advising them of the ill effects the bill would have on the administration of Indian education programs.

B.I.A. Reorganization

Warm Springs has long been concerned about the effects of the President's reorganization effort on the nine Bureau area offices, in particular the Portland office with which the Tribes

enjoy a good relationship. Superintendent James Cornett has gone on record as opposing any dismantling.

Gerard explained how the Bureau plans to address the overlaps and gaps in area office functions. As Gerard sees it, area offices perform both administrative and service functions, a dual role that he feels should be separated more distinctly.

The "Service Center" concept would acknowledge the increased emphasis of the Bureau on technical assistance and training especially under P.L. 93-638, the Indian Self-Deter-

mination Act. Administrative functions could be consolidated in regional offices, leaving area offices to provide direct services in these support areas.

This will undoubtedly mean the reassignment of certain personnel, Gerard noted, but the actual effect on Portland's area office is not yet known.

B.I.A. Policy

Gerard noted that the B.I.A. received the largest increase in the Department of Interior for 1979 to accomplish its two main objectives: **management improvement and building trust responsibility.** He noted that Congress had appropriated a \$35-50 million increase enhancing the Bureau's fulfillment of its trust responsibilities.

Some of the additional monies will be used to "work more closely with energy-conscious tribes," Gerard said. He was particularly interested in Warm Springs' proposed hydroelectric project on the Deschutes River and said he expected to be involved in the project as it develops.

Other ways in which the trust will be bolstered are in the areas of community development, forestry, water, fisheries and human resources, especially tribal court systems.

Water Policy

Gerard traced problems with the President's Water Policy back to the delay in selection of an Assistant Secretary of the Interior, which gave the task of developing a policy for Indian water rights to the Assistant Secretary of Land Management "by default."

The next difficulty came when Indian water rights were lumped with federal reserved rights. Gerard became involved in the policy writing as soon as he

was confirmed, but it was already getting late. With a joint National Congress of American Indians-National Tribal Chairmen's Association committee he worked out "reasonable recommendations" and sent them on to the White House.

The result was Carter's Water Policy announced last June, which called for the quantification of Indian water rights in conjunction with the development of water projects.

Gerard said there was only \$10 million in the treasury for the settling of water claims and he anticipated that at least \$100 million would be needed before the review of water claims is completed, supposedly in the next ten years.

Stressing that "quantification should definitely be linked with project development," Gerard said he would be pleased to work with the joint committee again on implementation of the policy.

Backlash

Recent congressional voting patterns have identified a core of about 81 members who consistently vote against positive Indian legislation. This does not indicate a pervasive anti-Indian sentiment in D.C., said Gerard.

But pressures from constituents can be powerful, and bills like those introduced by Cunningham and Meeds of Washington state "represent the tenor of the times" and "bear watching," he said. Although the bills will most likely not receive any action in this Congress, Indian tribes should not be "lulled into any false sense of security" when such legislation stalls. Meeds will be gone when Congress reconvenes, but Cunningham "may try to alter his bills to make them a little more palatable."



BRIEFING - B.I.A. Chief Forrest Gerard sat with the Tribal Council Friday morning September 29 and answered their questions about Indian Education, the reorganization of Bureau area offices, water policy, and many other concerns.

Apartment Blaze Under Investigation

The loss of a life and damages amounting to nearly \$100,000 are still unexplained two weeks after an early morning fire at the new Tenino Apartments.

Lost in the September 23 blaze was Edgar Yahtin, 25, whose body was recovered from the totally destroyed apartment unit being rented by his brother Owens Yahtin.

An autopsy revealed that Yahtin died of asphyxiation due to smoke inhalation.

The adjoining apartment,

rented by Fred Wallulatum, was also destroyed and a separate but neighboring apartment sustained about \$5-10,000 of damage.

On the day of the fire, state fire marshal Bob Nerney sifted through the charred remains of Yahtin's apartment searching for a probable cause. On the basis of his report, Lynn Hillman of the state arson squad was called in for further investigation. A cause has not yet been established.

The Warm Springs Police,

Bureau enforcement services, and the F.B.I. have been conducting interviews for two weeks to determine the exact circumstances of the incident.

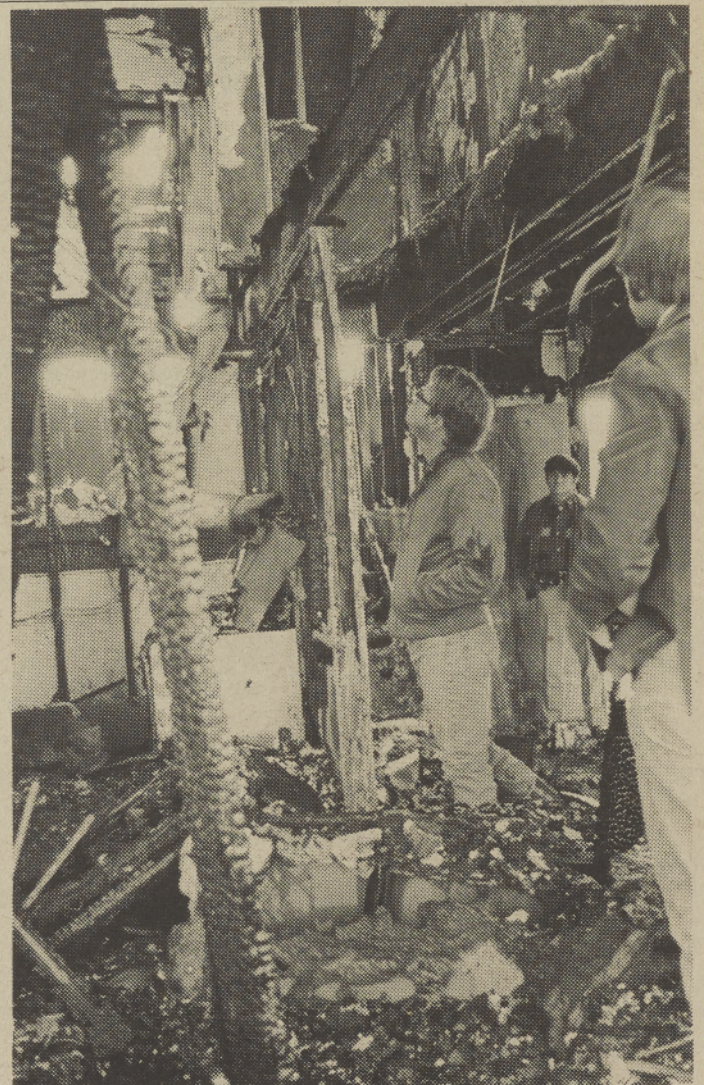
The fire was reported at 4:51 a.m. by Noree Langley who lived in the neighboring apartment. She had reportedly been awakened by two young men who profess to be witnesses to the early stages of the blaze. When the Warm Springs Volunteer Fire Department arrived shortly after 5:00 a.m., Yahtin's apartment was totally engulfed in flames and Wallulatum's apartment was also involved.

According to firemen, it took about forty minutes to achieve a "black-out", while attempts were also made to save the attic next door.

While a cause is being sought, local fire officials are concerned with several other aspects of the fire. Why didn't Wallulatum's smoke detector alarm go off? Only one of three detectors tested afterward were functional. And why were electric detectors selected for the apartment complex instead of battery-operated?

What was wrong with the fire extinguishers allegedly used by the two witnesses? One failed to operate and the other had only a moment's worth of foam in it, according to one of the men.

And isn't it time to install two more hydrants to service the other half of the complex? These



INVESTIGATION - State fire marshal Bob Berney scrutinized the burned out apartment of Owens Yahtin while Sgt. Ray Calica and B.I.A. Enforcement Officer Mark Werner looked on. The September 23 fire which cost the life of Edgar Yahtin is believed to have started in the kitchen but the investigation is still underway. CDS Photo

Spilyay Tymoo

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