

INDIAN LEADERS SEEK REMOVAL OF BIA HEAD

Amid increasing opposition in Indian country and in Congress to policy plans of Interior Assistant Secretary Ross O. Swimmer, Indian leaders have intensified efforts to remove the former Cherokee chief from his post as head of the Bureau of Indian Affairs.

Swimmer's initiatives drawing criticism include transferring the management of BIA elementary and secondary schools over to tribes or local educational agencies; imposing a \$850 tuition charge at BIA post secondary schools, implementing a 15% flat administrative fee in lieu of indirect costs on tribal administration budgets, transferring \$1.7 billion in Indian trust funds over to Mellon Bank of Pittsburgh (a bank reported to be in financial trouble), and transferring BIA management of forests over to private companies.

According to Swimmer, the initiatives are designed to lay a foundation for change and reflect "a different way of doing business" in Indian Country.

However, Tribal Indian leaders across the nation see the Swimmer policies as leading to termination and as an attempt to getting the federal government out of Indian trust responsibilities.

Opposition to Swimmer's initiatives has grown stronger in the last few months.

"He says he wants to teach us the lessons he learned as an elected tribal official," said National Congress of American Indians (NCAI) President Reuben A. Snake, Jr., "but he must have experienced the Reagan syndrome and forgot everything."

On March 11, 1987 the House Interior Appropriations subcommittee marked up the FY 1987 Supplemental Appropriations bill. Items affecting the BIA included Bill language prohibiting the charging of tuition fees at the post-secondary schools until action is taken on the FY 1988 bill, bill language prohibiting implementation of regulations establishing a 15% flat rate for indirect costs until action is taken on the FY 1988 bill, Bill language prohibiting the Bureau from entering into the Mellon contract until all accounting has been completed and until the tribes and the Congress are further consulted.

As a result, the BIA announced in a news release on March 13, 1987, that it would reopen competition for financial management services to handle the \$1.7 billion of Indian trust funds. Swimmer also ordered the 12 BIA area directors to call "consultation" meetings with Indian tribal leaders.

Swimmer set a date of April 3, 1987 to have comments regarding his initiatives sent to his office, but said he would accept tribal responses to the initiatives throughout the year.

In a March 20 hearing before the House Committee on Interior and Insular Affairs, Swimmer characterized his initiatives as "budget driven" and that the budget was "directed by the tribes." Swimmer told the Committee

Members that his schools-transfer proposal was an effort to "get tribes involved in the education of their children" and that he had "changed the intent of 638" to use the self-determination contracting law to encourage tribal contacts.

Representatives Bill Richardson (D-N.M.) and Ben Nighthorse Campbell (D.Col.) noted that it is Congress that changes the intent of laws, not the Executive Branch.

NCAI Director Harjo, the only other witness at the March 20 hearing, took exception to the suggestion that tribes have not been involved in the education of their children and emphasized that there had been no consultation in Indian country on Swimmer's initiatives.

On March 26, the House Appropriations Committee approved the Interior Subcommittee's action to stop the Swimmer initiatives until the end of this fiscal year, September 30, by prohibiting use of FY 1987 monies to implement them.

On March 30, 1987 seven Tribes walked out on a meeting in Spokane, Washington, which was called by the BIA's Portland area office at Swimmer's direction as part of his nationwide attempt to prove to Congress that he was consulting with Indian leaders on his initiatives.

One by one, the tribal leaders stated for the record that they were not part of the "consultation" and walked out of the meeting.

The seven Indian leaders issued a statement from an emergency caucus of the Affiliated Tribes of Northwest Indians (ATNI) after their walk-out, voicing "united opposition to the Ross Swimmer agenda" and citing his "attempt to restart" plans to turn over the \$1.7 billion in Indian trust monies to Mellon Bank, to turn over the management of Indian-owned forests to private companies and to turn over the BIA schools to states or third parties.

ATNI President Allen V. Pinkham, Sr., who also heads the Columbia River Inter-Tribal Fish Commission and is an NCAI Vice President, said that the "privatization would merely transfer the bureaucratic red tape of the Indian Bureau to private companies which are far removed from the Indians, rather than the BIA putting its own house in order."

Chairman Michael Pablo of the Confederated Salish and Kootenai Tribes said, "With Swimmer, real consultation is non-existent," and Chairman Joe Flett of the Spokane Tribe called the meeting "an attempt to coerce the local (BIA) agencies into supporting (Swimmer's) terminus policies." Chairman Mel Tonasket of the Colville Confederated Tribes called the policies "organized disorganization designed to confuse and divide tribes."

"Ross Swimmer himself is the real issue. Until we get rid of him, this fight will go on", Tonasket said.

ATNI was the first intertribal organization to call for Swimmer's removal in August of 1986, citing his lack of appreciation and respect for Indian cultural and traditional values.

In September of 1986, the NCAI membership at the 43rd Annual Convention also called for Swimmer's resignation or removal, citing the initiatives known at that time and his "refusal to conduct more than superficial meetings with Indian and Native leaders."



PRESERVATION CONF.

Perspective II on the American Indian Heritage: Indians, Historians, and Archaeologists is the title of a conference sponsored by the Confederated Tribes of Warm Springs and the Association of Oregon Archaeologists. The conference will be held May 7-9, 1987, at the Kah-Nee-Ta Resort on the Warm Springs Reservation. For information contact Dick Ross, Professor of Anthropology, OSU, at 754-4515, or Dan Mattson, Tribal Archaeologist, Confederated Tribes of Warm Springs, 553-1161.

COW CREEK BAND TO RECEIVE \$1.5 MILLION

The U.S. House Interior and Insular Affairs Committee approved a bill Wednesday that would distribute \$1.5 million to the Cow Creek Band of Umpqua Indians in Southern Oregon.

The Cow Creeks are to receive the money as a settlement for the loss of lands involved in federal recognition of the tribe in 1982.

The measure, sponsored by Rep. Peter Defazio, D-Oregon., is similar to a bill approved by Congress last year but which died in the final days of the 99th Congress.

Included in the bill is language designed to resolve a dispute between rival groups within the tribe that led the Bureau of Indian Affairs to withhold contract funds from the tribe earlier this year.

The bill calls for the interest on the settlement fund to be used for housing, education and economic development.

The bill now goes to the House Rules Committee and is expected to come up for a vote later this month on the floor.