

Coalition of non-Indian groups has concerns

After years of running battles in the courts with the nation's Indian tribes over fish and game, property rights and taxation, a new coalition of non-Indian groups has been formed to try to achieve "balance" between the two warring factions on federal Indian policy.

Local government officials and business folk from all over the country met in Washington, D.C., in mid-April at the invitation of Barbara Lindsay, head of United Property Owners of Washington State, which spearheads a 78,000-member organization of land owners in 37 states.

What got their antenna up was a galvanized effort by the tribes to achieve jurisdiction and taxation power over non-Indians living or conducting business on reservations, and a change in tribal strategy.

The new strategy was outlined a week before at the 27th annual Indian Law Conference on "Reaffirming Tribal Sovereignty in an era of Political Activism" in Albuquerque, N.M. The tribes' complaint, reported the *Millie Lac Messenger* newspaper, is that while they made out in Burger's Supreme Court (1969-1985) by winning 58 percent of their cases, it's been

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down hill ever since. The Rehnquist court has diminished tribal sovereignty in almost every possible case, so tribes were advised to negotiate rather than litigate, and end all litigation where possible at the threshold of the U.S. Supreme Court to avoid further draining of their power.

"A number of tribes want to tax non-Indians who live or do business on the reservation on fee simple land (private ownership)," Mrs. Lindsay said. "The U.S. Supreme Court has said they can't do that, so they are trying to get Congress to expand their sovereignty over non-Indians and we are saying that we do intend to fight that battle."

We will not let Congress overturn

Supreme Court rulings. Tribes hold us to the letter of the law in Boldt (the 1974 court decision giving treaty Indians up to half the fish in Washington waters), then they blithely plan to overturn the Supreme Court when they don't like its rulings."

Another concern of the coalition, she said, is the way tribes are buying parcels of land sometimes hundreds of miles away from their reservations near major highways so they can entice gamblers to casinos to be built there. By converting them to trust land, normally done only with adjacent acreage, they take that land off the tax rolls and out from under control by local governments.

"We were told by the Bush people repeatedly and not just on this visit," Mrs. Lindsay said, "that they intend to give much more input to local citizens and credence to arguments by local communities whether they should take those lands into trust. We are trying to get Bush to realize that tribes that have newly received trust land work with the city, county and county governments and follow the local land use rules."

It doesn't help that the National Congress of American Indians re-

cently presented Democratic Senate leader Tom Daschle with their top leadership award for his "great work" on the "unprecedented appropriations" he's gotten for them. As a result, the tribes wooed Federal Judge Boldt with honors and gifts and look what they got out of him.

As for Mrs. Lindsay, she also got a recent surprise. "My mother's family lives in Oklahoma," she said. "There had been a rumor that we might have Indian blood. Nobody took it seriously. After mom's dad passed, his younger sister, my Aunt Mae, promptly enrolled, got a card and sent it, and told my mom to do the same. My letter came back saying my mom was one quarter Cherokee, her father was one half and my great grandfather was a full blood, as were his parents."

"They were not the Cherokees of Oklahoma, but the Cherokee Nation of Missouri and Arkansas so they're not a federally recognized tribe and don't get benefits or casinos. But they walked the trail of tears to Oklahoma. I'm one-eighth Cherokee so they can't call me a racist any more."

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