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## TRIBE'S CASINO HOPES HINGE ON VALIDITY OF CURRENT RECOGNITION BY U.S.

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By Sean P. Murphy

CHINOOK, Wash.--In a beat-up old schoolhouse, under the constant gaze of pictured ancestors, a group of Indians awaits its fate as a tribe.

They are Chinook, descendants of the native people who met Lewis and Clark in 1804 when the explorers were on the verge of starvation.

Their Chinook ancestors inhabited the land at the mouth of a great river, which the explorers named the Columbia. All around, tidal flats teemed with oysters and razor clams, and the waters with a majestic fish now known as the Chinook salmon.

The Chinook descendants know the story well. Captain Meriwether Lewis, Lieutenant William Clark, and their "Corps of Discovery," having trekked through thousands of miles of wilderness, arrived at the shores in desperate straits.

In sturdy dug-out canoes and open-handed friendship, the Chinook came to their assistance. Lewis and Clark survived a harsh winter in their embrace.

They are Chinook and they know the stories. After Lewis and Clark came more outsiders, some aboard tall sailing ships from a place called Boston; to this day, the word means "non-Indian" in their language. Their lands soon became territories, then states, Oregon one side of the great river, Washington the other. There were treaties, some signed with an "X" by the Chinook representatives.

"Our families have always been here," said Gary Johnson, chairman of the Chinook Tribal Council. "But as the years went by our people got pushed off the river."

Johnson is the keeper of the flame. It is he who fixed the photographs of sure-eyed ancestors on the walls of the one-room schoolhouse. It is a faded, disrepaired building, owned by the county but loaned without rent to the Chinook.

Johnson and others have campaigned from this room for a generation for one thing: official recognition as a tribe. Such a designation can only come from the

federal government in Washington, which seems, Johnson said, "like the other side of the world to us."

The Chinook case is not a simple one. According to historians at the Bureau of Indian Affairs, the Chinook are not a tribe at all.

Descendants of those who saved Lewis and Clark surely remain -- Johnson is, no doubt, one, the historians say. But the tribe as a distinct and functioning social and political community passed away more than a century ago, they said. The absence of a historical tribal record is proof, they said.

But then came Kevin Gover, a Clinton administration appointee as head of the Bureau of Indian Affairs. Gover was willing to buck the professionals in his bureaucracy, and as his last official act in office in January, he overturned the work of the bureau's historians to recognize the Chinook. In the absence of a historical record, Gover said, he relied on inference. The Chinook, he said, deserved a break.

Gover's ruling came as the Chinook contemplated opening a casino. And while Johnson says a casino is hardly a factor in his group's long quest for recognition, others in the tribe have worked toward that goal, including Linda Amelia, a friend of Gover's who had a hand in arranging lucrative private legal work for Gover upon his return to work as an Indian gaming lawyer-lobbyist.

In most parts of the country, a casino can legally operate only under the auspices of a federally recognized Indian tribe, and during Gover's tenure, the Indian gaming industry was vastly expanded.

Gover's willingness to buck the historians came sharply into play in New England, where he or his top assistant found his own basis for recognizing two Connecticut-based tribes, as well as the Nipmuc Nation of central Massachusetts. All have ambitious plans to open world-class casinos.

The entanglement of recognition and gaming issues has not served the Chinook well. In the months after Gover recognized them, Congress and the Bush administration scrutinized Gover's actions and those of his former top assistant, Michael J. Anderson, who also now works as an Indian gaming lawyer-lobbyist.

As a result, the eleventh hour recognitions of the Nipmuc and the Duwamish Tribe of Seattle have been reversed by Neal McCaleb, Gover's successor as head of the Bureau of Indian Affairs.

And whether Gover acted properly in recognizing the Chinook will probably be decided this week. Gale Norton, the secretary of the Interior, which oversees the Indian affairs bureau, must indicate by the end of the day tomorrow whether she will side with Gover or the historians.

For Johnson, the wait is agonizing. His long, neat ponytail is streaked with gray. A soft-spoken retired educator, he tours this sparsely populated, wind-swept spit of land telling stories from days past. It is his patrimony.

He sees irony in his predicament. "We were made to live the white man's way and now they have come back years later to say, 'Sorry, but you didn't maintain your tribal ways.'"