



ATTORNEY DENIES CHINOOK PAYBACK

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By Dean Baker

The former head of the federal Bureau of Indian Affairs denied Thursday he asked for any payback from the Chinook Indians after he approved their tribal status.

"I have not done that," said Kevin Gover, the former assistant secretary of the interior for Indian affairs, now an attorney with the 350-member Steptoe & Johnson firm in Washington, D.C.

"I believe my firm did solicit their business, but I played no role in that decision for the simple reason that it would have been improper for me to be involved.

"I have never spoken to anyone at the Chinook office," Gover said in a telephone interview.

On Jan. 3, Gover overruled his staff and approved the status of the Washington-based Chinook, which they had sought since 1980. If the 2,000-member tribe becomes federally recognized, it will obtain federal health and education aid and gain the right to build a gambling casino, possibly in the Vancouver area.

The status of the Chinook will become final April 9 unless the Quinault Indians appeal, as expected. The Quinault oppose Chinook recognition, in part because it will cost the Quinault half their land, which the Chinook own on the Quinault reservation.

If there's an appeal, Chinook tribal status will be debated further by a federal board and could end up in court.

Boston Globe assertions

In a Sunday newspaper story, the Boston Globe alleged a conflict of interest by Gover and his former assistant, Michael J. Anderson.

The Globe said Gover, having gone to work for Steptoe & Johnson right after paving the way for Chinook to build a casino, then solicited gambling business from the tribe.

The Globe said Gover and Anderson reversed the findings of their staffs to grant tribal status not only to the Chinook, but also to the Duamish Indians, also in Washington, and to the Nipmuc Indians of Massachusetts, Rhode Island and Connecticut.

"I frequently overruled my staff; I didn't do it lightly, but I did it fairly often when I believed it was the right thing to do," Gover said.

He reversed his staff's recommendation because he believes the Chinook proved that the U.S. Congress established they were a tribe in 1911, 1912 and 1925 cases.

The Globe said that after Chinook, Duamish and Nipmuc were empowered to start casinos, Anderson and Gover "stepped directly from their high level administrative posts into lucrative positions representing gaming tribes."

The Globe story didn't mention Gover's disclaimers or the fact that Gover, a Pawnee Indian, worked for tribes for 14 years before he became a government official.

"I'd always intended to go back to that," he told The Columbian on Thursday.

Tribe secretary Peggy Disney, in the town of Chinook, near Ilwaco, and the tribe's longtime attorney, Dennis Whittlesey in Washington, D.C., also said in phone interviews that Gover never asked personally for the tribe's business. They said a letter from Steptoe & Johnson, signed by attorney Hilda Manuel, was received by the tribal council, which has taken no action on it.

"We put it in the pile with other offers," said Disney. "I could name 10 we've received. Everyone wants a piece of the Chinook pie these days."

The Chinook have had little interest in any issue outside simply gaining tribal status, she said.

Gover said he sent a form letter to all the tribes in the United States saying he was with the firm and inviting them to a reception.

"I would be pleased to assist you with any specific matters which may face your tribe, including gaming issues, tax matters, corporate issues, environmental issues, land and water disputes and settlements," Gover's Jan. 8 letter said.

But, he said, he sent no letter to the Chinook directly. He said the firm would not permit him to work on Chinook cases.

"I am not allowed to work on anything to which I devoted personal attention while I was at Interior, and I can't represent any tribe that is not federally recognized, and not until a year after they are recognized. The Chinook are not federally recognized."

Of the Globe article by Sean P. Murphy, Gover said:

"Sean is off on this deal where he is trying to prove somebody got something for deals we made at the end of the administration.

"For me, the issue is the Chinook decision, made Jan. 3, not in the final hours. It had been on my desk for several months. I spent a lot of time with that material and made the best decision I could.

"But Sean is of the view that somebody got something for that stuff. There is no proof that anyone was compensated in office, and so he draws this tenuous conclusion. There is nothing I can do about it except wait for it to blow over."

Contacted at the Boston Globe, Murphy declined to be quoted.

"I think what's happened is Murphy has made some statements, which were partially supposition and were contradictory to what I think he was told. I've spoken to the guy, too, and there have been some unfortunately inaccurate statements," Whittlesey said.