

The Boston Globe

DECISIONS ON STATUS OF TRIBES DRAW FIRE BUSH ADMINISTRATION REVIEWS PARTING ACTIONS BY CLINTON APPOINTEE

March 27, 2001

By Sean P. Murphy

Several decisions favorable to the Indian gaming industry made by a Clinton appointee on his last day in office are being scrutinized by the Bush administration for possible reversal, a spokesman said yesterday.

"The Bush administration is taking a hard and thorough look at these decisions," said Stephanie Hanna, a spokeswoman for the Bureau of Indian Affairs. "It may be that, ultimately, this administration comes to different conclusions than the previous administration on some of these cases."

Under review are decisions recognizing two groups as Indian tribes, and thus giving them the right to operate casinos, a privilege often worth hundreds of millions of dollars.

Michael J. Anderson, acting head of the bureau, gave final recognition to the Duwamish tribe of Washington state and preliminary recognition to the Nipmuc tribe of Massachusetts on Jan. 19, his last day in office.

In doing so, Anderson rejected recommendations against recognition of those groups made by the bureau's professional staff of historians.

Recognition, which turns on whether groups have maintained a continuous historical identity as tribes, has become a hotly contested political issue in recent years as investors behind such groups have poured tens of millions of dollars into it as the first crucial step to opening casinos, and wary local people have resisted casinos in their towns.

The Globe reported on Sunday that Anderson made a third decision, also under review, on his last day that aided the Seminole tribe of Florida in its legal dispute with the state over use of slot machines in tribal casinos.

The Seminoles, like the Indian gaming industry overall, have been generous contributors to the Democratic Party.

Anderson now works for the firm Monteau, Peebles and Crowell, which represents Indian gaming tribes.

The Globe has also reported that Kevin Gover, who, three weeks before the end of Clinton's term, resigned as head of the Bureau of Indian Affairs, rejected the recommendation of the professional staff in giving final recognition to the Chinook tribe of Washington state.

Gover, a former Clinton campaign fund-raiser and strategist, stepped directly from his government position to a lucrative job as a lobbyist-lawyer representing Indian gaming tribes with the Washington firm Steptoe & Johnson. One of the tribes he recently solicited for business was the Chinook.

US Representative Christopher Shays, Republican of Connecticut, called on the Bush administration to "restore some sanity" to the government role in the Indian gaming industry.

"Having a casino is like having a license to print money," he said. "My fear is that money will come to the Republicans. The money is so significant that it can corrupt very quickly."

"This is all about money," said Scott Harshbarger, Common Cause president and former Massachusetts attorney general. "By the end of the Clinton term, there was no constraint, no shame."