

The Bureau of Indian Affairs, that arm of the governmental bureaucracy that for the last 150 years or so (created in 1824) has been the white man's chief tool for the oppression of the red man, is continuing its record of broken treaties, broken words, and broken promises, not to mention broken hearts and heads...A new "amended resolution" providing for the removal or destruction of all permanent housing on the fishing sites of Cook's Landing, Lone Pine, Underwood, Cascade Locks, and Wind River (sites provided for in lieu of those destroyed by Bonneville Dam) has recently been proposed by the Assistant Solicitor for the Department of Interior, George Dysart. Dysart's job includes drafting regulations in conjunction with the Bureau of Indian Affairs, and has been the cause of trouble for the Indians for about ten years. Its time he found a new job--this new "resolution" is a flagrant violation of Indian rights under Oregon law and under present treaty, not to mention three federal court decisions, one involving the Supreme Court (Seufort bros. vs. U.S., 1919.) Keep in mind that the Bureau and Dysart need only the signature of the Secretary of the Interior to make any resolution they draft into law. Another example of "checks and balances" at work.

The proposed resolution (Title 25, Part 255.6) goes on to say that the only permissible housing will be tents, campers, and so on. It does not provide for new living sites, nor does it mention anything about relocation funds. It goes on to give the Area Director for the Bureau, Dale Baldwin, the power to evict those Indians he feels are violating "sanitation codes." Dysart, Baldwin, and company use this excuse to draft the amendment, claiming that there were complaints from Wasco County pertaining to sanitation conditions on the sites. It is interesting to note that, when requested to produce a single complaint, they in fact had none. If the federal, state, or local governments were concerned with sanitation, it seems that the industries which are allowed to poison the air and water would be the target. The "sanitation code" is merely a guise through which the government can harass and, if possible, eliminate Indian fishing. The white fishing industry and sports fishing concerns are highly suspect as to the extent of their involvement in this and other fishing issues. These groups consider the Indian "competition," even though it has never been shown that the Indians take more than 11% of the total fish run, whereas the white "sport fisherman" may take as high as 35-40% of the run. However, the run is not computed until after the sportsman's catch is subtracted from the total run. Bureau motives are also thought to involve breaking up the Indian community to gain a better attitude of "submission" to the B.I.A. and the Yakima Tribal Council. The latter is working to gain control of the individual fishing rights of members of the tribe. It should be noted that those Indians fighting the resolution are considered "renegades" by both the government and the council, and as a result are unable to obtain money from either party--money that is rightfully theirs. Although they are supported by the other three tribes mentioned in the treaty (Umatilla, Nez Perce, and Warm Springs), this support is not monetary, and so they are confronting the power structure with no money and no legal assistance.

There is another issue presently being fought by these people. This involves the question of the actual fishing season. The state fish commission claims that the fishing season is not yet open, and the Indians claim that under the treaty, state regulatory laws do not apply to the Indians when they conflict with treaty provisions. The fish commission claims that it all depends on "interpretation" and that it would have to be contested in court; the commission is well aware that the Indians have little money to carry on a prolonged court battle and is prepared to hang the the Indians up in court until their funds are exhausted. Until it is decided, Indians found fishing may or may not be arrested, depending on the mood of the cop involved, and their fishing gear confiscated indefinitely. The Ford Foundation(!) has helped to finance a court suit, to be heard Thursday, April 24th, by Judge Robert C. Bellony at 9:30 a.m. at the Federal Court House in Portland. If you can possibly make it, be there. Also, on the following morning, at 10:00 a.m., there will be a meeting between the Indians and the Oregon State Fish Commission in room 336, Smith Memorial Center, Portland State University. You are especially urged to attend this meeting and show the public that these Indians are supported by the community.

In recent weeks, two Indian homes have been burned at "the Underwood site." Although arson is suspected, the local authorities refuse to investigate because of "lack of evidence." Of course, they overlook the fact that no evidence can be obtained without an investigation. Some of the people in the area think that the game commission can be tied in with these fires.

As far as the housing issue goes, the best possible action you could take would be to write your representatives in Washington, and Salem, or Olympia. You don't have to be twenty-one, you don't have to be rich, you don't even have to vote for the man... Just deluge him with letters in support of the Indians and a condemnation of Dysart. Demand his removal and an end to the dictatorial policy of the Bureau of Indian Affairs. For your sake, don't be apathetic about it. The next one stepped on could be you.

FOR INFORMATION CONTACT

• CARL McCLAIN
American Indian Arts & Crafts Center

or

JIM HOUSER
1732 S.E. Alder Street
Portland, Oregon 97214
phone 235-1935

91

October 7, 1980

To: The City Council of Portland

Honorable Members:

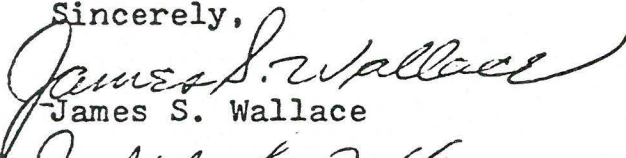
We wish to state, as residents and property owners in the area of the proposed ANPO Indian Cultural Center, that we have no objections to said development and activities on the site as proposed in the Conditional Use Application, provided the terms and conditions of same are maintained.

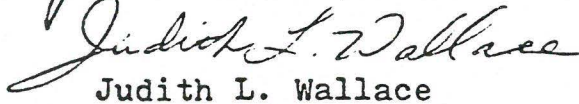
Our property immediately joins the proposed site on the South, in particular, Lot 8, Crystal View Acres, 9443 S.E. Tenino Court.

Also, since the time of the Indian use of this property, we have experienced very good neighborly relations and have not been aware of any problems in the area that could be attributed to their activities.

We also hosted an informal meeting of other neighbors in our area and felt they were all in agreement that there would be no objections to the ANPO center if operated and maintained in accordance with the conditional use specifics.

Sincerely,


James S. Wallace


Judith L. Wallace

and Family

Hello Neighbors!

Recently, ANPO, Inc. has purchased approximately 4 acres near Mt. Scott Boulevard and Flavel. We would like to introduce ourselves to you—to let you know who we are, and invite you to visit with us.

ANPO, Inc. is planning to build a Spiritual and Cultural Center on this land for the preservation of the American Indian religion and culture. We would like to preserve our heritage for our young people and all young people who would like to enjoy it with us.

Enclosed is information about ANPO and the Spiritual and Cultural Center. We hope you will find it informative and as exciting as we do.

If you would like to know more about ANPO, Inc., our program and goals, you may contact our office at:

ANPO, Inc.
840 S.W. Gaines Road
UOISC
Portland, Oregon 97201

Telephone: 225-8939

We look forward to meeting you!

YOU ARE INVITED TO JOIN US FOR STEW & FRY
BREAD AND DISCUSS ANPO'S GOALS AND OBJECTIVES:

Wednesday, February 20th, 6:30 p.m.

at

Kendall Community Center
8800 S.E. 80th
Portland, OR

SEE YOU THERE!

ANPO (a Lakota word meaning daybreak) Cultural Center has been designed to assist American Indian individuals and organizations towards a mutual understanding of the American Indian spiritual and cultural values.

What is ANPO?

The American Indian community in the Portland area has recognized the need for the preservation of the American Indian Culture. As each of us feels the pressures of daily life and the stress of managing our economic, social and emotional lives, a sanctuary must be found where we can reflect not only on the beauty and harmony of nature, but on who we are as individuals and what we want to do with our lives. ANPO has been created to assist in this universal need for spiritual understanding which has been employed since the beginning of our culture.

The Center

Plans for the structure of the ANPO Spiritual and Cultural Center are being designed through the architectural consultants of the Portland Design Center with appropriate projections by Devere East Man, a Brule Sioux and a recognized cultural advisor of the American Indian Community in the Northwest area.

The structure will be designed to reflect the American Indian concept of nature and will utilize the indigenous resources of the Pacific Northwest in its design. It is felt that the quiet, secluded location on a 4 acre park-like setting will be reflected not only in the architecture of the building, but will contribute to the mood of the cultural programs and activities offered at ANPO.

What is offered at ANPO?

The single objective of ANPO is to share American Indian Culture with those who wish to learn from it.

The American Indian Community is implementing a program where our children and all people can learn the stories and legends of our people, and the significance of our customs and ceremonies, and respect for nature and its beauty.

How Many Buildings Will There Be?

The Cultural Center is being planned to have one central building that will offer a conference room, a small kitchen and dining area, moderate overnight facilities, a small museum and bathroom facilities.

In addition to this permanent structure, there will be on the grounds:

- 2 small sweatlodges
(these are small round structures built from branches and covered with hides and are used in a cleansing ceremony)
- 1 arbor
(a round thatched roofed structure supported by poles, and is used in various ceremonies)

The design and placement of these buildings will respect both the natural setting of the area and the grounds.

Who will use ANPO?

The proposed use of ANPO will be for spiritual, cultural and educational activities and includes the following ideas for sharing these cultural pursuits:

1. A Spiritual and Cultural Resource Center for the American Indian and non-Indian community.
2. A Cultural Conference Center for American Indian organizations.
3. A Cultural Educational Center for Boy Scouts of America, Indian Guides, and Girl Scouts of America.

ANPO, Inc.

ANPO--or daybreak--initially had its beginning in 1974, being designed and operated by Devere East Man (Brave Buffalo), a Brule Sioux, and a respected cultural leader in the greater Portland, Oregon, area.

ANPO's basic purpose is to develop a spiritual and cultural program for the American Indian community. Since its inception, the range of services provided by ANPO has included traditional sweat ceremonies for residents and the community, and cultural counseling of individuals and organizations. Cultural education services are also provided to schools, native organizations, and interested groups.

There are no labels at ANPO. For a person to make their identity, they must look for it and make it their reality. ANPO is located in a wilderness area, and people are encouraged to spend time alone in this natural setting. We pray in the sweat lodge, as our ancestors before us, and ask ourselves, "Who am I?" Young people come seeking their identity, they pray to the Great Spirit, and gradually they begin to see themselves. It is here that the learning process begins, and that they begin to face their fears and understand who they are. They are eager to learn the wisdom of their people and, as the unfolding process begins, they step into a new identity--of a young person who takes pride in who they are and once again finds joy in the process of living.

When we find ourselves and understand our balance through our own awareness and perceptions, we are ready to begin the process of survival. A way of life cannot be forced on anyone. Strengths of character are survival tools, as each person must approach life from their own beginning place.

At ANPO, we offer these tools of wisdom and understanding for our young people to build a positive self-identity. We believe that the re-awakening of our spirit and culture is a program that can be utilized by all people.



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

District Office
3550 Liberty Road, S.
P.O. Box 3227
Salem, Oregon 97302

IN REPLY REFER TO

8372.2 (14.3)
ANPO - SRP
OR-080-R0-005

JUN 05 1980

Ms. Sandy Chamberlain
ANPO, Inc.
Whitecloud Center, Gaines Hall
840 S.W. Gaines Road
Portland, OR 97201

Dear Ms. Chamberlain:

Enclosed is the original and one copy of Special Recreation Permit OR-080-R0-005, with attached Special Conditions and maps (two) showing the location of the permit use area. Please review and sign the copy and return it to our office at your earliest convenience. Activities authorized by the permit may not be initiated until our office notifies ANPO, Inc. of our receipt of the signed permit.

As indicated under the permit's Special Conditions (No. 12), it will be necessary for ANPO, Inc. to coordinate efforts with our office for the selection of vegetation to be used for construction of tepees. Please contact Mr. Karl Bambe, Clackamas Resource Area Manager, so arrangements can be made. His telephone number is 399-5683.

Further note under Special Condition No. 10, that coordination with the Oregon State Department of Forestry is needed prior to the construction and use of any ground fires.

Karl Bambe will act as the administrator of the permit for our office. Any concerns or questions you may have should be directed to him. Please inform him ten days in advance to your terminating your activities provided by the permit so that arrangement can be made to conduct the post-use questionnaire.

We hope ANPO, Inc. enjoys the use of Public Lands administered by our agency and that your mission proves successful.

Sincerely yours,

Edward J. Taylor
District Manager

Enclosures:
As stated

RECEIVED
JUN 9 1980
WHITE CLOUD CENTER

PERMIT

Permit Number OR-080-RO-005

Permission is hereby granted to ANPO, Inc., Native American Spiritual Encampment of 840 S.W. Gaines Road, Univ. of OR Health Sciences Center, Portland, OR 97201 to use the following-described lands:

TOWNSHIP	RANGE	SECTION	SUBDIVISION
7 South	3 East	14	S1/2 NE1/4 SW1/4

Meridian	State	County	Acres (number)
Willamette	Oregon	Clackamas	Seven (7)

for the purpose of establishing a temporary campsite and conducting an environmental and cultural encampment at said site for urban-based Native Americans.

and subject to the following conditions:

1. This permit is issued for the period specified herein. It is revocable for any breach of conditions hereof or at the discretion of the authorized officer of the Bureau of Land Management, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
2. This permit is subject to all applicable provisions of the regulations (43 CFR 18 and CFR 8300) which are made a part hereof.
3. This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the signing officer.
4. This permit may not be assigned.
5. Permittee *must* pay to authorized officer, in advance, the sum of no dollars (\$ none) or such other sum as may be required, if an adjustment is made. No refunds of less than ten dollars (\$10) will be made.
6. For substantial, long term uses, or uses which involve the construction or erection of improvements or structures, or will alter the character of the land or its resources this permit is invalid.
7. Permittee *must* observe all Federal, State, and local laws and regulations applicable to the premises; to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and shall keep the premises in a neat, orderly, and sanitary condition.
8. Permittee *must* take all reasonable precautions to prevent and suppress forest, brush, and grass fire and to prevent polluting of waters on or in vicinity of the lands.
9. Permittee *must* not enclose roads or trails commonly in public use.
10. Permittee *must* pay the United States for any damage to its property resulting from this use.
11. Permittee *must* notify the authorized officer of address change immediately.
12. Permittee *must* not cut any timber on the lands without prior written permission from the authorized officer.
13. Permittee *must* indemnify, defend, and hold harmless the United States and/or its agencies and representatives against and from any and all demands, claims, or liabilities of every nature whatsoever, including, but not limited to, damages to property, injuries to or death of persons, arising directly or indirectly from, or in any way connected with the permittee's use and occupancy of the lands described in this permit or with the event authorized under this permit.
14. Authorized representatives of the Department of the Interior, other Federal agencies, and game wardens *must* at all times, have the right to enter the premises on official business.
15. Permittee *must* abide by all special stipulations attached hereto.
16. Permittee *must* not disturb archeological and historical values, including, but not limited to, petroglyphs, ruins, historic buildings, and artifacts.
17. Permittee *must* leave in place any hidden cultural values uncovered through authorized operations.
18. Special conditions

Refer to Exhibit "A", attached.

Sandy L. Chamberlain
 (Permittee's Signature)

(Date)

Permit issued for period	From June 11, 1980	To September 15, 1980
<i>Edward H. Stauber</i> (Authorized Officer)	District Manager (Title)	JUN 05 1980 (Date)

(Continued on reverse)

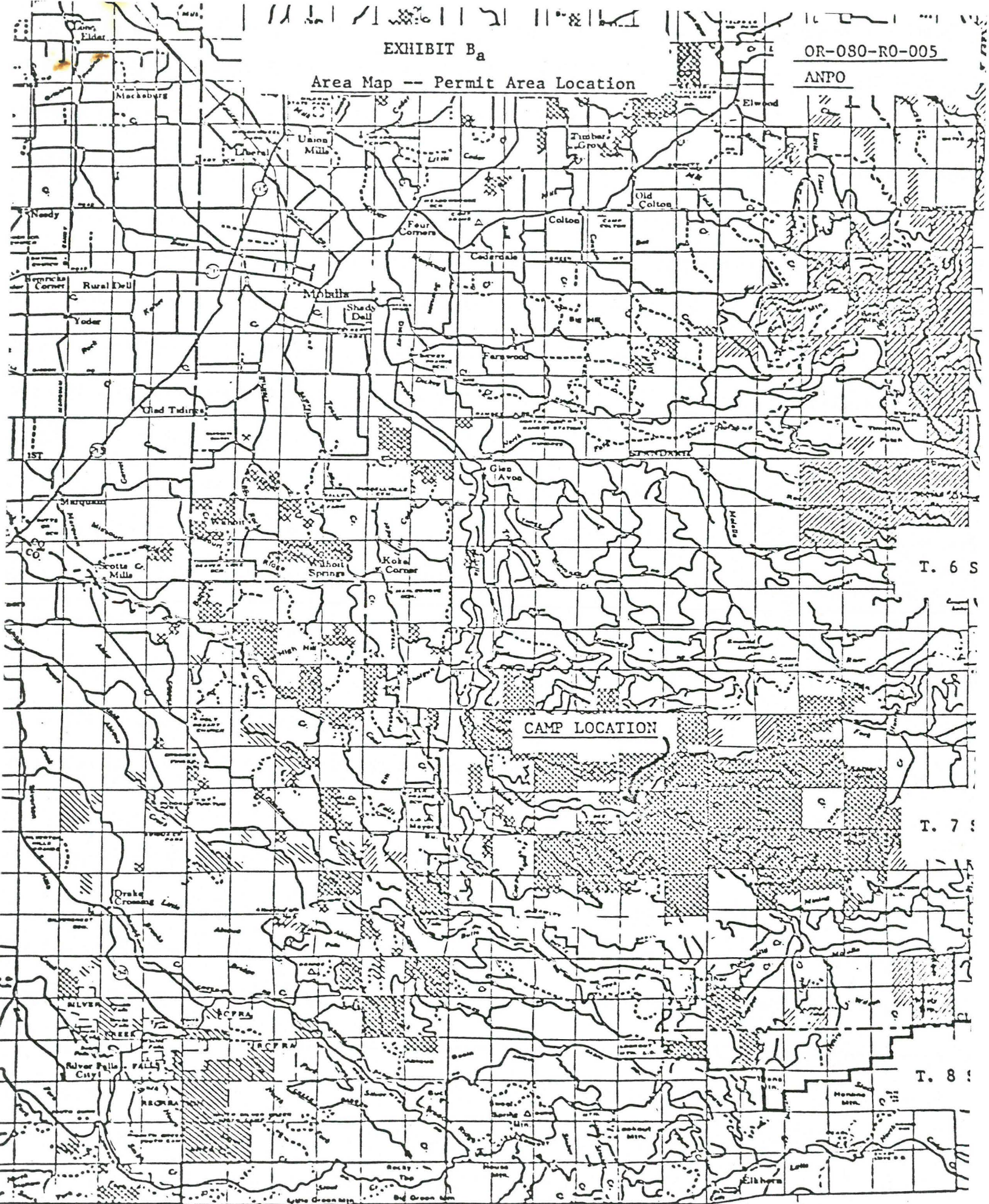
EXHIBIT "A"

Special Conditions

1. Any areas disturbed due to trails, waste water pit, fire pits/rings, tepee circles, cooking area, etc. shall be rehabilitated. Grass seeding shall be optional. Any seeding shall be of a species approved by BLM.
2. All non-combustible refuse, garbage and unburned combustible refuse shall be temporarily retained in closed refuse containers and periodically removed to a state approved sanitary landfill.
3. The permit area must be maintained in a neat and clean condition with no litter.
4. All vehicular travel shall be restricted to existing roads. All roads shall be kept clear of parked vehicles.
5. All domestic animals shall be tied, on leash or otherwise strictly controlled in the permit area.
6. Sanitation facilities shall consist of two portable, self-contained chemical toilet units. The location and care of the toilets shall follow the recommendations of the Clackamas County Environmental Health Department, and located a minimum of 100 feet from any stream or other surface water.
7. One waste water disposal pit shall be constructed and used as recommended by Clackamas County Environmental Health Department.
8. The BLM Salem District Clackamas Resource Area Manager shall be notified immediately of any archeological artifacts/materials discovered on Public Lands. All such artifacts/materials shall be left in place of discovery and undisturbed.
9. Soil excavation activity shall be limited to construction for two (maximum) Oregon State Forestry-approved fire pits and one waste water disposal pit. Any additional excavation shall be approved in advance by the BLM authorized official.
10. The location of ground fire pits, use of fire, and safety requirements of such use shall be in compliance with recommendations and restrictions issued to the permittee by the Oregon State Department of Forestry, Clackamas-Marion District Office, Molalla, Oregon. No fire(s) is permitted without prior approval of said agency.
11. Only dead and down wood shall be permitted for fire use.
12. Any living vegetation needed for construction of temporary structures shall be limited to that identified and marked by the BLM. Wanton destruction or damage to natural features, vegetation and animals is prohibited.
13. Permanent structures or improvements are not permitted.
14. Maximum number of people covered by this permit is thirty-five (35) persons.

Area Map -- Permit Area Location

ANPO



T. 6 S.

T. 7 S.

T. 8 S.

CAMP LOCATION

40'

122'30"

20'

R. 1 E.

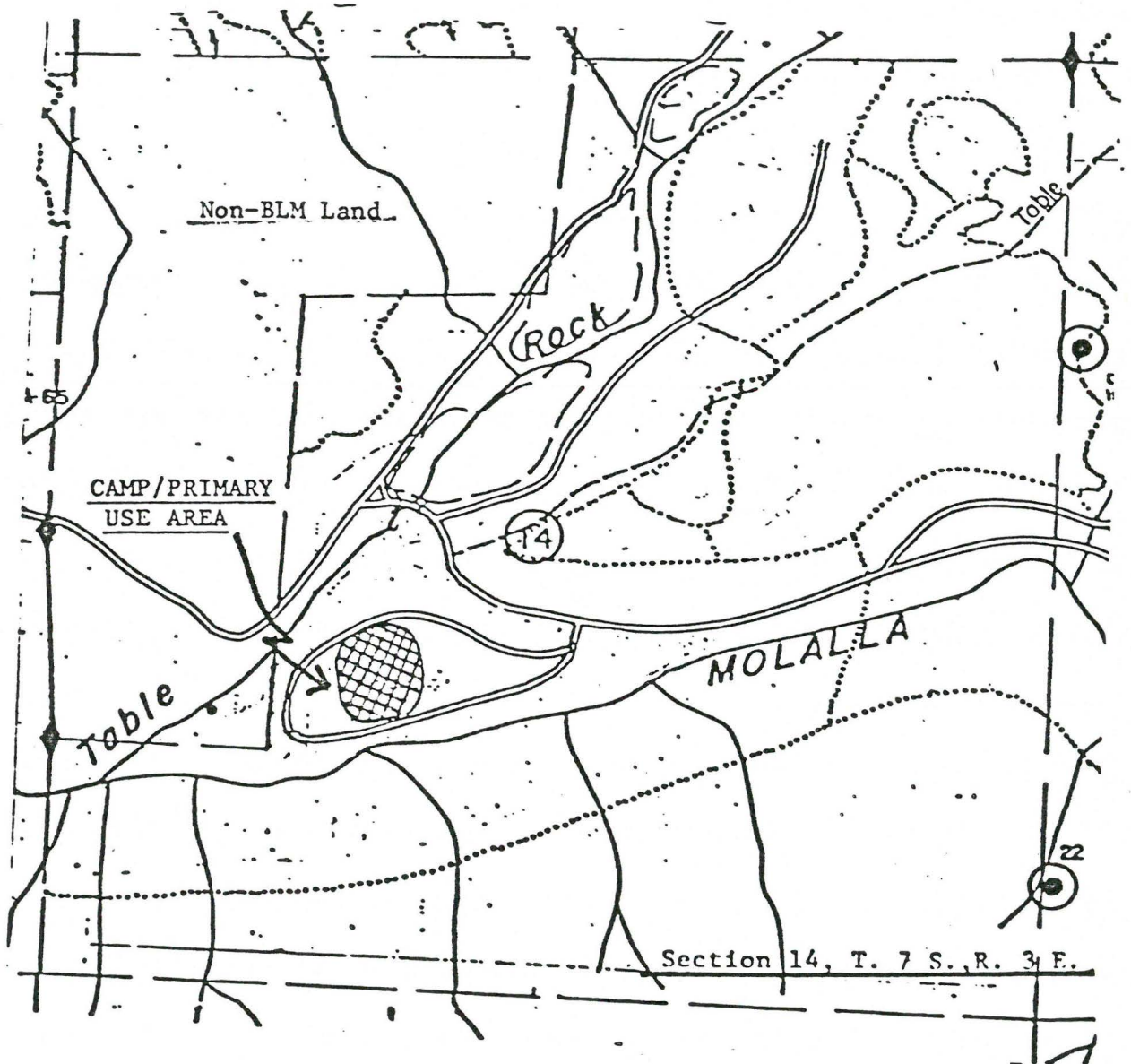
R. 2 E.

R. 3 E.

R. 4 E.

EXHIBIT B_b

Specific Map -- Permit Area Location



- ✓ 15. Eddy Nakajima
10210 Mt. Scott Blvd.
- ✓ 16. Rev. Gary H. Heide
10220 Mt. Scott Blvd.
- ✓ 17. L.B. Andrews
10304 Mt. Scott Blvd.

~~Stopped~~

- ✓ 18. Richard A. Moulton
10419 Mt. Scott Blvd.
- ✓ 19. Lincoln Memorial Park
10500 Mt. Scott Blvd.
- ✓ 20. J.J. Cooper
10504 Mt. Scott Blvd.
- ✓ 21. N/P
10539 Mt. Scott Blvd.

Jenino Ct. - 97266

- ✓ 1. N/P
9215 SE Jenino Ct.
 - ✓ 2. Michael S. Anderson
9216 SE Jenino Ct.
-
- ✓ 3. A.E. Jordan
9230 SE Jenino Ct.
 - ✓ 4. N/P
9231 SE Jenino Ct.
 - ✓ 5. F.T. Smith
9300 SE Jenino Ct.
 - ✓ 6. M.J. Greiner
9301 SE Jenino Ct.
 - ✓ 7. L.E. Smith
9320 SE Jenino Ct.
 - ✓ 8. Lesty D. Megyesi
9321 SE Jenino Ct.

~~Stopped~~

- ✓ 8. ^{N/P} 9775 Mt. Scott Blvd.
 - ✓ 9. Darrell D. Marks
9908 Mt. Scott Blvd.
97266
 - ✓ 10. A. Blaumin
9911 Mt. Scott Blvd.
 - ✓ 11. James Ronald
9917 Mt. Scott Blvd.
97266
 - ✓ 12. Dan Adams
10020 Mt. Scott Blvd. } 774-8421
his car
 - ✓ 13. N/P
10028 Mt. Scott Blvd.
 - ✓ 14. N/P
10039 Mt. Scott Blvd.
- Mt. Scott Neighborhood
- ✓ 1. Darrell W. McNeil
9309 Mt. Scott Blvd.
97266
 - ✓ 2. N/P
9351 Mt. Scott Blvd.
 - ✓ 3. C.J. Clorin
9520 Mt. Scott Blvd.
97266
 - ✓ 4. ^{N/P} 9529 Mt. Scott
 - ✓ 5. ~~9538~~
Victor P. Beaker
9538 Mt. Scott Blvd.
97266
 - ✓ 6. Donald Hotchkiss 774-1209
Melvin W. Hotchkiss 774-8132
9100 Mt. Scott Blvd. 97266
 - ✓ 7. Gen A. Enbo
9145 Mt. Scott Blvd.

- ✓ 31. EE ~~Thommen~~ Thommen
9577 S.E. Tenino Ct.
- ✓ 32. N/P
9584 S.E. Tenino Ct.
- ✓ 33. J. Dennis Simon
9585 SE Tenino Ct.
- ✓ 34. N/P
9590 SE Tenino Ct.
- ✓ 35. N/P
9591 SE Tenino Ct.
- ✓ 36. David Brink
9600 SE Tenino Ct.
- ✓ 37. Dennis Best
9633 SE Tenino Ct.

- ✓ 17. Virgil E. Dugger
9508 SE Tenino Ct.
- ✓ 18. Ruben A. Loring
9511 SE Tenino Ct.
- ✓ 19. Ray Sampel
9517 SE Tenino Ct.
- ✓ 20. N/P
9522 SE Tenino Ct.
- ✓ 21. N/P
9525 SE Tenino Ct.
- ✓ 22. Lewis H. Holbrook
9531 SE Tenino Ct.
- ✓ 23. R. Freauff
9536 SE Tenino Ct.

- ✓ 24. N/P
9539 SE Tenino Ct
- ✓ 25. N/P
9544 SE Tenino Ct.
- ✓ 26. Samuel A. Jauchius
9554 SE Tenino Ct.
Post. Off. 97266
- ✓ 27. MK Jenu
9559 SE Tenino Ct.
- ✓ 28. Don E. Flowers
9562 SE Tenino Ct.
- ✓ 29. N/P
9564 SE Tenino Ct.
- ✓ 30. Kevin McCarty

- ✓ 9. N/P
9340 SE Tenino Ct.
- ✓ 10. EW Gasser
9341 SE Tenino Ct.
- ✓ 11. H. R. Ischamer
9410 SE Tenino Ct
- ✓ 12. John C. Bain
9411 SE Tenino Ct
- ✓ 13. N/P
9425 SE Tenino Ct.
- ✓ 14. H. P. Schmidt
9434 SE Tenino Ct.
- ✓ 15. N/P
9503 SE Tenino Ct.
- ✓ 16. N/P
9512 SE Tenino Ct.

~~Stopped~~

38. ✓ Beed J. Curtner
7643 SE Termino Ct.

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39. ✓ Sara Jane Fox
9666 SE Termino Ct. 1980

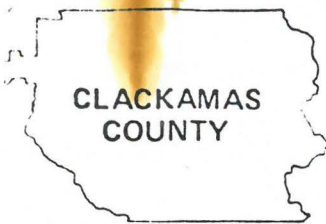
40. ✓ Lamar Ferguson
9713 SE Termino Ct.

41. ✓ G. B. Fox
9777 SE Termino Ct.

42. ✓ J. DeFrancisco
9800 SE Termino Ct.

43. ✓ Gilbert J. Bork
9899 SE Termino Ct. FINISHED

I have paid enclosed a check to the
the purchasers and the money deposited
in transferring this to you in record



DEPARTMENT
OF
HUMAN RESOURCES

PUBLIC
HEALTH
DIVISION

THOMAS M. TROXEL, DIRECTOR

TELEPHONE

655-8384

RECEIVED

JUN 9 1980

WHITE CLOUD CENTER

June 4, 1980

John F. Schilke, M. D.
HEALTH OFFICER

Patricia K. Patterson
NURSING SERVICES

James F. Buckley
ENVIRONMENTAL HEALTH

Jeanette McKeown
ADMINISTRATIVE SERVICES

Sandy Chamberlain
Research Assistant, ANPO
840 SW Gaines Rd.
Portland, OR 97201

Ms. Chamberlain, this letter is in response to ANPO's intended use of BLM land near Molalla.

We recommend following these procedures for the previously addressed areas:

1.) Oregon Administrative Rule 333-31-062 states that no liquid wastes shall be discharged onto the ground...(see highlighted, enclosed rules.) The rules specify that a seepage pit must be used, or a watertight retention tank (see highlighted rules for dimension and construction specifications.)

2.) Water Source: We understand that water will be obtained from the Molalla City supply. The ten gallon water can must be constructed for this intended use.

3.) Dishwashing: The proper procedures for dishwashing are:

1. Wash
2. Rinse in clear water.
3. Sanitize (total immersion) in 50 ppm Cl for 1 minute (1/2 cap of bleach to one gallon of water) and air dry.

4.) Solid Waste: Garbage cans must be rodent and insect proof, impervious to moisture and kept covered. We recommend using plastic liner bags so the interior of the cans can be easily kept clean.

5.) Refrigeration: Please provide a spirit stem thermometer for all ice chests and keep the foods at 45° F or below. Refrain from storing large amounts of perishables at any one time so that the temperature can be easily maintained.

6.) Emergency Plans: In the event of a lost camper, we recommend that the County Sheriff's office be notified as well as the Sheriff's office in Molalla. We also recommend notifying the Sheriff of your whereabouts prior to leaving.

Sandy Chamberlain
June 4, 1980
Page 2

Please submit driving directions to the camp site to this office for our records. It appears that the site is located in T 7S, R 3E, Sec. 14.

If we can be of further service or if you have any questions, please do not hesitate to call this office.

James F. Buckley, R.S., Supervisor
Environmental Health Services

Diane Edwards
Diane Edwards, Sanitarian
Environmental Health Services

DE/bp

Enc: Rules

CC: Bob Alward, BLM
State of Oregon Forestry, Clackamas
Marian District.

cc: North

Date Issued _____

OREGON LIQUOR CONTROL COMMISSION SPECIAL EVENT LICENSE APPLICATION

OREGON LIQUOR CONTROL COMMISSION
P.O. BOX 22297, PORTLAND, OREGON 97222

Application is hereby made for:

Special Retail Beer License @ \$10.00 per day per stand 1 No. of Stands 1 No. of days.

Special Retail Wine License @ \$10.00 per day per stand _____ No. of Stands _____ No. of days.

Hours of sale are from 7:00 AM to 2:30 AM. Indicate license(s) desired by placing a check mark in the box(es) above; also indicate the number of stands and number of days you desire to operate. Enclosed is a check or money order in the amount of \$ 10.00 as full payment. Fee will be refunded if license is denied, otherwise it will not be refunded.

1. Applicant: Portland Indian News

2. Trade Name: Editor Barbara Farmer Telephone No. 725-5520

3. Mailing Address: 5352 SE 89th Portland Ore 97266
(Number) (Street) (City) (Zip)

4. Event: Benefit Dance

5. Type of Event: Picnic _____ Convention _____ Fair _____ Civic or community enterprise

Other similar special event* _____ *Specify event none before

6. Person(s) responsible: Barbara Farmer (Name) (Business telephone)

Address: 5352 SE 89th Portland Ore 97266 725-5520
(Number) (Street) (City) (Zip) (Home telephone)

7. Address where license will be used:
St. Andrews church 806 NE Alberta Portland Ore mult.
(Name) (Street) (City) (Zip) (County)

8. Exact location of event: main hall

9. Above location is: Within City limits _____ Outside City limits (Check one)

10. Date(s) of event: July 18, 1981

11. Hours of operation: 6 p.m. to 2:00 a.m. Expected attendance: 100 ~~200~~

12. Who will receive the profits from this license: Portland Indian Newspaper

13. I/we understand that a false answer to any of the foregoing questions will subject this application to denial. I/we certify that all information submitted is complete and correct to the best of my/our knowledge.

Signature: Barbara V Farmer

Signature: _____

Date 7-3- 19 81

THIS APPLICATION MUST BE ENDORSED BY THE APPROPRIATE PERSONS AS INDICATED BELOW, BEFORE SUBMISSION TO THE OREGON LIQUOR CONTROL COMMISSION.

14. THIS SECTION MUST BE COMPLETED BY THE PERSON HAVING CUSTODY OF THE PROPERTY WHERE THE EVENT IS TO BE HELD OR HIS REPRESENTATIVE.

This application has been submitted to _____
_____ and meets with our approval.

(Authorized signature)

(Date)

222 S.W. Pine near (OS)

15. THIS SECTION MUST BE COMPLETED BY THE CHIEF OF POLICE FOR INCORPORATED CITIES OR THE COUNTY SHERIFF FOR UNINCORPORATED AREAS OR THEIR AUTHORIZED REPRESENTATIVES.

This application has been submitted to _____

This office recommends GRANT or REFUSE*

*If recommendation is REFUSE, please indicate grounds for refusal _____

Ronald R. Still
(Authorized signature)

WF

7-7-81
(Date)

OFFICE USE ONLY

SUMMARY OF EVENT: DESCRIBE ACTIVITY, PAST OPERATION, HOW POLICED: _____

Date received _____

I certify that the above information has been verified by me.

(Name and title)

(Date)

Certificate of Authority to operate issued. (Copy enclosed.)

Forwarded recommending staff action. Supplemental report enclosed.

RESTRICTIONS: _____

4-22-83
JP

APPLICATION FOR SOLICITATION PERMIT

CITY OF PORTLAND
BUREAU OF LICENSES
1120 S.W. 5th RM. 1131
PORTLAND, OR 97204

ND, OREGON - PUBLIC SOLICITATIONS COMMISSION

APR 22 9 23 AM '83

Mail to: Bur
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For

FEE \$5.00
410
Phone: 796-5160
~~248-4654~~

In order to allow time for investigation, this application must be filed with the Business License Division, Room 203, City Hall, at least 30 days prior to the date on which it is desired to commence solicitation. Please print or type. If any of the information requested in this application cannot be furnished, submit a detailed statement giving the reasons why said information cannot be supplied.

If any change in fact, policy or method that would alter the information given in this application occurs while this application is pending or during the term of any permit which is granted pursuant to this application, the Public Solicitations Commission must be notified of the change, in writing, within twenty-four hours after such change.

Applicant agrees that any permit granted pursuant to this application will not be used or represented in any way as an endorsement of the solicitation conducted thereunder by the City of Portland or by any department or officer thereof, or by the Public Solicitations Commission. Make checks payable to City of Portland

(Please use typewriter, black ink or soft pencil)

ORGANIZATION SEEKING PERMIT

DATE April 19, 1983

Portland Inter-Tribal Club
(Name of Organization)

mail 2365 N.W. Marshall St., Portland, OR 97210 (503) 242 3571
(Principal Local Address and Telephone No.)

SOLICITATION PERIOD: (Permit may not exceed one year)

FROM April 19, 1983, 19 TO April 19, 1984, 19
(Please give exact dates for permit period)

APPLICANT SEEKING PERMIT

Barney B. McClelland 5-1-30 President
(Name in full) (Date of Birth) Title

5632 N.W. Willbridge Ave., Portland, OR 97210 (503) 222-2409
(Home Address) (Phone Number)

Same as above Same
(Business Address) (Phone Number)

INFORMATION ON ORGANIZATION

Is the organization incorporated? yes If so, give date and State of incorporation. November 3, 1977--Oregon

If not incorporated, give starting date and type of organization. Not Applicapble

LIST OFFICERS AND MANAGER (Give first name, middle initial and last name)

Name	Date of Birth	Title	Address
Barney B. McClelland	5-1-30	President	5632 N.W. Willbridge, Ptld, 97210
Jack Nunes	10-31-22	V-Pres.	10301 N. Oregonian, Ptld, 97203
Kathleen D. Steele	10-8-41	Secretary	2926 SE 136th, Ptld, OR 97236
Stan Mattson	4-24-18	Treasurer	2365 N.W. Marshall, Ptld 97210

State reasons, supported by figures, why funds to be solicited are needed.
(Use additional pages if necessary - Attach budgets when available)

Support an Annual Pow-Wow and Encampment. This is a Traditional, Cultural event for the City of Portland, Visitors, Portland Rose Festival Assn. and Native American Indians from across the Nation.

Outline how the solicitation will be conducted:

We will be asking Companys, Corporations and the likes for Donations.

What is total amount of funds to be raised, including expenses:

\$ 10,000.00

(If no figure is available use a realistic estimate. If goods are to be solicited market value of the goods should be used.)

Expenses:

How much is the direct cost of the solicitation?

\$ 2,000.00

(Gas, postage, etc. excluding event or merchandise)

What percentage of the total funds raised will this represent

20 %

(This cannot exceed 20% of total funds to be raised)

Name of person in charge of conducting solicitation: (First name, middle initial & last name)

Name: Jack Nunes Date of Birth: 10-31-22

Address: 10301 N. Oregonian, Portland, OR 97203 Occupation: Retired-Longshoreman

Names of parties in charge of disbursement of the proceeds. (Two required)

Name: Stan Mattson, Treasurer Date of Birth: 4-24-18

Address: 2365 N.W. Marshall, Ptld, 97210 Occupation: Retired-Engineer 1971

Name: Jack Nunes, Vice-President Date of Birth: 10-31-22

Address: 10301 N. Oregonian, Ptld, OR 97203 Occupation: Retired Longshoreman

Professional Promoters: List names and addresses of all paid solicitation promoters, professional solicitors, and advertising agencies who will be connected with the campaign, and list the amounts of wages, fees, commissions, expenses or emoluments to be paid to each:

Name	Permanent Address	Amount
<u>None</u>	<u>Not Applicable</u>	<u>-0-</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

If a Professional Promoter is employed, attach a copy of the contract or agreement. List other promotions recently conducted:

Name of Organization	Address	Date
<u>None</u>	<u>Not Applicable</u>	<u>None</u>
_____	_____	_____
_____	_____	_____

Is the organization a member of the United Good Neighbors? No

If the organization is affiliated with any other organization give name and address:

Urban Indian Council, Inc.

Name

1634 S.W. Alder St., Portland, OR 97208

Address

Bank in which solicitation funds will be deposited Peoples Bank

Name

7616 N.E. 6th Ave, Vancouver, WN 98665

Address


The following supporting documents must become a part of this application when such documents exist:

An itemized financial statement, for the last preceding fiscal year, of any funds collected in the City of Portland by means of a solicitation conducted by the applicant. Such statement must state the amount of money raised by said solicitation together with the costs of such solicitation and the final distribution of all funds received.

A copy of the contract, if any, given to each professional promoter who will be associated in any way with the proposed solicitation.

A resolution signed by an officer of the organization which authorizes a solicitation to be conducted under any permit issued pursuant to this application.


I, Barney B. McClelland, President being first duly sworn, depose and say that I have truthfully answered the foregoing questions; that I am the applicant named above (or a representative of the organization in whose behalf this application is submitted, duly qualified to verify the application); and that the attached supporting documents are correct and accurate to the best of my knowledge.


(Signature of Applicant)

STATE OF OREGON }
COUNTY OF MULTNOMAH } ss.

Subscribed and sworn to before me this 19 day of April 1983

(SEAL)


Notary Public for Oregon
My commission expires 7-12-85

OSU accreditation for CISCO expected, increases hopes of Adair acquisition

By MAUREEN McNASSAR
Vanguard Staff

The Chicano and Indian Studies Center of Oregon (CISCO) may have overcome a major block to their acquisition of surplus Adair Air Force station for a cultural center-accreditation by an educational institution in Oregon.

A commitment expected this week from Robert MacVicar, president of Oregon State University to grant accreditation for the proposed school would make CISCO eligible for federal and state education funds.

Patrick Melendy, CISCO co-director said a prior verbal commitment from MacVicar has assured the organization they will be accredited.

CISCO representatives presented a well-planned diagram of their proposal to the Adair Task Force in August but were then confronted with the problem of financing the program.

Without accreditation from an already established institution CISCO would not be eligible for funds granted by government agencies.

Working with volunteers and donations, the CISCO group has waged a statewide publicity program, gathering funds and support as well as needed workers to help develop the center.

But without assurance of accreditation and funds to run the cultural center, designs for Indians, Chicanos and poor whites, CISCO's chances of acquiring a portion of the Adair site appeared slim.

Chairman of the task force, US Sen. Mark Hatfield (R-Ore), made it explicit at the hearings that "groups interested in obtaining usage of Adair should make financing one of the top priority items in outlining their proposals for the property."

Jim Randall a member of the task force said of the original 27 groups requesting a hearing on their proposals for Adair only 19 applications still hold.

He said several groups have withdrawn their applications or incorporated with other groups.

When the task force held two days of hearings in late August only 16 of the 19 remaining proposals were presented.

Randall said the task force has not scheduled further hearings and probably won't hold a formal session until the completion of an environmental determining study of Adair and the surrounding area.

The Adair Air Force station site located nine miles north of Corvallis, consists of 311 acres containing a main cantonment area with 35 major buildings and an additional 65 acres, where the Capehart housing project is situated.

Randall said the 311-acre site and its facilities are surplus but the Washington State Teachers Retirement fund holds a \$1.7

million. The General Services Administration to Health Education and Welfare and then granted to the State of Oregon at a 100 per cent discount.

The cost of rehabilitating and maintaining the facility would then be incurred by the groups included in the consortium, said Randall.

This is only one of the possibilities the task force will be considering, said Randall who added that if CISCO could be included in such a consortium they would at least have a place to launch their program.

Once the center became established, it would still have enough room for expansion, he said.

Other proposals for the vacated air station include a police academy, a wildlife view area, a firefighting academy and married student low-income housing for Oregon State University.

OSU has requested use of the Capehart housing but, according to Randall, the university has only \$1.1 million available for acquiring the facility for which \$1.7 million is needed.

He said an alternative for the Capehart housing may be to form a low-income housing authority that could maintain the existing 150 single and duplex units.



PATRICK MELENDY JIM MONTOYA

It seems very likely that any of the groups using Adair would be in need of close housing and if it could be taken over by such a housing authority it could be available to the Adair groups as well as the university, he explained.

Melendy said the Capehart housing is included in the CISCO plan which propose day care facilities, a drug and alcoholic rehabilitation center, a halfway house and educational programs for adults who would have their families with them at the center.

accreditation by the University of California at Davis, is Degenawida-Quetzalcoatl University (DQU) which the CISCO group has looked toward as a model.

They hope to take advantage of the experiences at DQU as well as the resources of colleges and universities in the Corvallis area including OSU, Linn-Benton Community College and Oregon College of Education.

He said when a student at the center completes a program of cultural studies, which they will be planning for themselves, that individual can choose either to learn a trade at CISCO or transfer to one of the colleges or universities included under the umbrella.

Jim Montoya, also a co-director of CISCO, explained that most Chicanos and Indians lack the confidence they need to last at these institutions because they've been beaten down and are not expected to succeed.

The drop-out rate for Indians and Chicanos is nearly 90 percent for Oregon schools. CISCO does not plan to duplicate existing educational institutions or programs but to add courses which will be particularly relevant and helpful to the Chicanos and Indians.

Montoya said "what we want is for the supporting agencies to help us help ourselves."

"We need the monetary support of the existing structures but we want CISCO to be something the Chicano and Indian people develop and run for themselves," he said.

Anticipating an enrollment of 300 to 400 when the school opens, the Adair site is considered to be ideal for the center because it is situated in the center of the Chicano population, estimated between 40,000 and 50,000 in Oregon, and is close to many Indian tribes.

Melendy explained that programs for Indians and Chicanos have always been designed and run by the Anglo society so when they failed, the Indians and Chicanos could blame the white society.

"If CISCO fails, then the Indian and Chicano people have failed," he said, "but if it goes, for once the Chicano and Indian people will have a success by themselves.

"We won't have to give the credit to any government agency or state agency. It will be something the Chicano and Indian people of the State of Oregon can identify with," said Melendy.

He said a good part of the people on the welfare roles are Chicanos and Indians. A program like CISCO that will train and prepare these people to function and succeed in white society can save the State of Oregon millions of dollars within the next fifteen years.

The center will operate on a system of open admissions and, according to Melendy, it will not be run like the traditional Anglo schools.

"What we really want to do is get away from the structures," he said, "for 400 years the system has done nothing but destroy.

"We want to get back to the basics of life and education," he explained.

The CISCO philosophy hinges strongly on the need for educating the Chicano and Indian people to their own cultural backgrounds: "Most people must be at peace with their past in order to meet their future and the successful student must have a sense of pride and inner security.

Shooting Probe Called Off

TACOMA (AP) — Tacoma Police Chief Lyle Smith confirmed Monday his department has ceased investigation of the Jan. 19 shooting of Indian activist Hank Adams.

Adams had denied having any association with a gun when he first reported the shooting to police, Smith said.

"The lab findings indicated that he did in fact fire a weapon prior to the time he report-

ed the shooting to us," Smith said.

"We have repeatedly given Mr. Adams time to explain this to us," the chief said. "He has refused to."

Smith said the investigation would cease because the department "cannot spend time investigating circumstances if the victim does not cooperate."

Adams said Saturday he had not fired a gun and that if tests

showed gunshot particles on his hands they were received from the muzzle, not the chambering end, of a rifle.

The 27-year-old Indian has been active in fishing rights demonstrations for Indians and is director of the Survival of American Indians Association.

Adams reported being shot in the stomach by one of two men who approached him while he sat in a car after tending fish-nets in the river.

ORIG. 2-28-71
PSU Books
2 Speakers

An anthropologist will speak on "American Indian Rights" and an associate editor of "Ramparts" Magazine will discuss "Empire and Revolution" on Monday, March 1, at Portland State University.

Barbara Lane, a former professor of anthropology at University of British Columbia, has long been active in Pacific Northwest Indian affairs. Her talk at 2 p.m. in Smith Memorial Center will be sponsored by the United Indian Students of PSU.

David Horowitz, associate editor and director of "Ramparts," was research director for the Bertrand Russell Foundation in London from 1963 to 1965.

His talk, sponsored by PSU Speakers' Program, will begin at noon in the Smith Center ballroom.

Security

6

Indians pursue stalled project

By LINDA WILLIAMS
of The Oregonian staff

Representatives of ANPO Inc., an American Indian group seeking to build a Native American cultural center in the Mount Scott area, have called upon Portland religious leaders to support them in urging City-Council members to reconsider their votes that have stalled the project.

Portland Indians "who prefer to worship in Indian traditional style are being forced to commit civil violations to protect their religion," said Devere East Man, an ANPO member and spiritual leader of the city's 20,000 Indians.

"This quiet confrontation of cultural beliefs versus rules, regulations and 'white' tape has found ANPO outside the law when building ceremonial fires," he said.

Sweat lodges, which are tents or wooden enclosures designed to trap steam for Indian purification rituals, are in violation of the city building code, he said. Yet, he added, "At this time, there is no place in the Portland metropolitan area where American Indians can legally gather to worship in this traditional style."

ANPO board member Ed Edmo said Portland Mayor Frank Ivancie and Commissioner Mildred Schwab did not give adequate consideration to the freedom of religion issue when they voted to overturn a city land-use hearings officer's decision granting ANPO a conditional-use permit to construct a center that would include cultural and religious activities.

The council deadlocked on a 2-2 vote in November with commissioners Charles Jordan and Mike Lindberg voting in favor of ANPO. The tie vote meant that a final resolution of the matter is delayed until after a fifth commissioner is elected to the council.

However, Edmo said ANPO would like to see Ivancie and Schwab reconsider their votes sooner because the center is in danger of losing money it already has been promised and cannot raise additional funds because the project is in limbo.

Residents of the neighborhood surrounding the six-acre site had objected to the conditional-use permit, claiming that their property values would drop. They also complained of noise from activities on the site.

Although Bishop Matthew Bigliardi, Episcopal bishop of Oregon, spoke before the hearings officer on behalf of ANPO, ANPO representatives said Friday that they have been "disappointed" that other Christian and Jewish leaders have not come forward to defend the right of Indians to practice their religion.

Vine Deloria Jr., a writer and University of Arizona professor of Indian studies, said the City Council is in danger of turning a minor dispute into a major confrontation.

He said the city is inviting a federal court suit because of a 1978 congressional resolution recognizing the constitutional protection of traditional Indian religions.

Dennis the Menace



"MAYBE YOU'LL GO DOWN IN HISTORY AS THE KID WHO INVENTED THE SPAGHETTI SANDWICH."

He said a similar issue came before the Seattle City Council, but the council reacted favorably to the Day-break Star Center and Seattle Indians have been able to "make a major cultural contribution to the community."

Edmo charged that Ivancie did not reply to a letter from him and refused to meet with Robert Lamb Jr., director of the U.S. Justice Department's community relations service in Seattle, to discuss the ANPO project.

Jim Redden, press aide, said the mayor did not refuse to meet with Lamb to discuss the ANPO project. He said Lamb did meet with Ivancie's administrative assistant Mike Kutter to discuss the ANPO project.

During the course of that meeting, Redden said, Lamb suggested a meeting with Ivancie to talk in general about how the community relations service has worked with Seattle and to see if it could be of assistance in Portland. Redden said Ivancie declined that meeting because he did not believe that it would be useful.

Police banquet scheduled

Federal Bureau of Investigation Director William Webster will be the featured speaker at a Tuesday, Feb. 10 banquet at the Hilton Hotel honoring about 30 Portland police officers who retired in 1980.

KATU anchorman Richard Ross will be master of ceremonies for the \$12.50-per-person event, which will start at 6:30 p.m. with a no-host cocktail hour. Dinner will be served at 7:30 p.m.

Agents raid Indian community, confiscate truckload of liquor

TACOMA, (AP) — Federal agents raided two Indian liquor stores Monday and confiscated more than a truckload of spirits which they allege were being sold illegally.

Nineteen agents entered the Nisqually Indian community of Frank's Landing in north Thurston County shortly after 6 a.m. in the first raid.

The Saticum Store at the Puyallup Indian Reservation was raided later in the morning, said B.K. Uptagrafft, assistant special agent in charge of the U.S. Treasury Department's Bureau of Alcohol, Tobacco and Firearms (ATF).

"The operators of the shops do not have a federal occupational tax stamp which permits them to engage in the sale of liquor," one ATF agent said.

Exact amount of liquor confiscated in the two raids was not immediately determined but there was one report that more than 300 cases were taken from Frank's Landing alone. Both hard liquor and Coors beer, a Colorado brew not regularly sold in Washington, were reportedly seized.

Hank Adams, an Indian activist, was at Frank's Landing and called the raid "an attack by the federal mafia." He said the agents

were "running around with pistols and other weaponry."

The agents were armed with a federal search warrant issued by U.S. Magistrate John L. Weinberg in

Seattle.

In the Frank's Landing raid, Uptagrafft said, agents went directly to a complex of three buildings where the liquor was sold to the public.

SEC. FILE

Indian alcoholism agency in dispute

By JAMES MAYER
Journal Correspondent

"The non-Indian world values paper. If it is not documented, it didn't happen. The Indian world values people. If I write it down, it means I don't value people anymore."

Sidney Stone, program director of the Native American Rehabilitation Association and a "Blackfoot from Montana," is talking about the wide cultural gulf that separates the American Indian way of thinking from that of the "dominant world."

It is the clash of these very different cultures that forms the background for a current dispute between the treatment program Indian alcoholics, the only one of its kind in the Portland metropolitan area, and state mental health officials.

The dispute threatens a program that is designed to counter the No.-1 health problem of the American Indian. Of the estimated 10,000 native Americans residing in the tri-county area, NARA estimates that as many as 6,000 are practicing alcoholics.

The controversy is over compliance with the state mental health division's administrative rules, a requirement for continued funding. NARA receives about \$130,000 a year in state beer and wine tax revenue.

A visit to the program's 15-bed treatment center at 1438 SE Division in Portland last May by a team of state, county and federal officials as well as two Indian members resulted in a highly critical report, citing numerous violations of record-keeping and "case-management" procedures, and could have led to termination of the program.

NARA protested that the report was biased, inaccurate and subjective. Earlier this month, the state agreed to withdraw the report, write another one taking NARA objections into account and to conduct another visit in January before a final decision is made.

The program's legal advisor, John Giel, describes the disputed report as an "assassination attempt by bureaucratic state mental health employees," while state officials insist the report was based on the evidence collected.

Mike Shrunk, manager of the state Programs for Alcohol Treatment office, is the author of that report. "I had a feeling the program does a good job," Shrunk said, "but I found no evidence of that. I couldn't write a report that says the program in non-compliance in all these areas, but I feel it's a good program anyway."

One thing there is little dispute over is the seriousness of the problem.

"Alcoholism is the number one health problem of Native Americans," Ms. Stone said.

Approximately 36 percent of the Indian population in the country are alcoholics (the figure is closer to 80 percent in some areas), compared to slightly more than 5 percent in the non-Indian population, according to Ms. Stone.

NARA barely scratches the surface.

In the last six years, 1,200 Indians have been served by the program, which has 126 active clients in Multnomah, Washington and Clackamas counties.

In addition to environmental, economic and personal factors that contribute to anyone becoming an alcoholic, there are historical, cultural and behavioral differences that make the problem particularly acute for American Indians, according to Ms. Stone.

"Indians drink to get drunk, as much and as fast as they can," she said.

The original introduction of alcohol into the native populations of America was a "means of manipulation in the pre-conquering stages," Ms. Stone said.

She cited the case of her own people, the Blackfoot: "The Hudson Bay traders and trappers gave them 100 percent alcohol mixed with coffee, tea and sugar. It caused a psychotic reaction that totally devastated their minds."

Native Americans saw others acting that way "and passed it down. It became the model of behavior when you drink," she said.

Once alcoholism was firmly rooted in the Indian population, Congress passed a law making sale or possession of alcohol by Indians on reservations illegal. The prohibition lasted from 1890 until the mid-1950s and fostered generations of bootleggers and a compulsive, aggressive style of drinking.

Possession was a federal crime, but being drunk wasn't. "So the idea became, drink up and get rid of the evidence," Ms. Stone said.

The pressures in the Indian culture to drink — and drink hard — are so pervasive that one of the main thrusts of the NARA treatment philosophy is convincing a client that he or she has "the right to be sober," according to Ms. Stone.

The typical treatment consists of a one-year program of in-patient and out-patient care, stressing "culturally specific" values, but rooted in the traditional Alcoholics Anonymous teachings of self-worth through total sobriety.

The program employs only Indian counselors, who are themselves recovering alcoholics.

(Continued on page 7)★

over
→

★ Compliance dogs Indian agency

(Continued from page 1)

NARA officials suggest that much of the success of their program depends on informal interactions, "peer counseling" and group efforts. Staff members feel that extensive documentation of these activities, as required by regulations, devalues the experience.

Since the May site NARA has instituted an "alcoholism treatment guidance system" created by the federal Indian Health Service, which provides the other half of the program's funding. Program officials are confident that the simplified record-keeping system, designed specifically for Indian alcoholism programs, will bring them up to the standards set by the state.

"You must accept their mental health, social work, Ph.D. frame of reference, or they won't be satisfied," Ms. Stone said.

Shrunk agreed that the cultural services NARA provides its clients is "a sound approach because Indians suffer from a crushed culture," but he does not think the differences are substantial.

"Regardless of program philosophy, the state wants to have some way of determining what its getting for its money," Shrunk said. "I don't think conditions here are different in character than those required of any alcohol

treatment program."

As for the appearance and disappearance of the disputed report, Shrunk said: "I can't comment on why it's being done over. The reception was somewhat negative and there was a desire to make the report more palatable."

According to Shrunk, "The main thing that raised hackles is that I looked at where they were in compliance with administrative rules. I did not include subjective observations about whether it was a good program or whether clients were being served."

In meeting one NARA protest, the revised report will include written comments from other members of the site visit team, apparently excluded from the earlier effort, which had been positive about the program.

Shrunk dismissed these comments as "extremely subjective and 90 degrees contrary to the realities of the site visit."

He also cited the fact that the report "sat on the shelf" for three months while his office battled budget and reorganization problems, causing "anxieties to go up."

While the majority of NARA's clients live in Multnomah County, the organization attempts to serve clients in Washington and Clackamas counties as well, although services in the suburban area are at a low level today.

NARA had projected serving 36 clients in Washington County last year, for example, but ended up with only three or four.

As a result, the County Commission cut its share of funding to the program by 50 percent, to \$13,000, and changed from a straight grant method to a fee-for-service contract, according to Steve Willard, county mental health director.

Nevertheless, Willard said statistics of the "at-risk" population show about 500 Indians living in the county and "given the high incidence of alcoholism, that represents a significant problem." However, since Indians will not go to conventional county treatment programs, the problem remains largely invisible.

Willard agreed with Shrunk that "although the form of treatment may be different, the basic problem-solving techniques remain the same. We must have a way of knowing the results."

Responding to charges that the handling of the site visit was a form of political harassment or racial bias, Willard said, "that's not true at all. Everybody has the same motive — to get services to the people who need them."

Bob King, director of Clackamas County's mental health department, says the county transferred the administration of its share of the beer and wine money for NARA to Multnomah County.

"The program was not serving enough county residents and there was more than enough need in Multnomah County, so it made more sense to have just one contracting agency," said King.

Despite the uneasy truce prevailing between NARA and the state, the program received a big boost from the federal government in July in the form of a \$178,000 grant to launch a second 15-bed treatment house, this one for women Indian alcoholics.

Ms. Stone explains that Indian women have been reluctant to seek treatment for alcoholism for fear that their children will be taken away by the state. The new center will allow women to bring their children with them.

COURTHOUSE PROTEST — Indian fishermen drummed and chanted in Portland Tuesday and medicine man prayed before Indian orators promised Tuesday to never stop fighting for their treaty rights.

Indian marchers blast measure on steelhead

By PHIL ADAMSAK
Journal Staff Writer

"John Wayne didn't kill us all," an Indian orator thundered from the U.S. Courthouse steps in Portland Tuesday noon, announcing plans to march to the Bureau of Indian Affairs office — "the puppet government of the United States."

Whoops echoed from the concrete walls, and clenched fists rose among the 125 demonstrating with him against a bill that would bar Columbia River tribal fishermen from their customary commercial harvest of steelhead.

But in the next breath the speaker, Leroy Miller of the Puyallup tribe, said that the United Fish Committee was running out of money for its pilgrimage to a Senate hearing in Seattle.

He passed a baseball cap among spectators while Department of Justice workers watched from windows above, and eventually collected \$40.

It was the third day of the nine-day march that began in Celilo Saturday, reached Salem Monday, and is supposed to stop in Washington at Kelso, Chehalis, Frank's Landing, and Olympia on the way to the hearing.

One participant reportedly had a heart attack Tuesday morning en route to Portland, and was taken to an emergency hospital. His condition could not be learned.

In Seattle June 29 they will join other Indian groups in testimony against measures introduced by Sen. Slade Gorton, R-Wash., and Rep. Don Bonkers, D-Wash.

The bills would make Indian fishermen subject to state fishing regulations. The Indians insist that fishing is a treaty matter and immune to state interference.

The four Columbia Basin treaty tribes — the Yakima, Warm Springs, Umatilla and Nez Perce — caught about 3,000 fall-run steelhead last year and sold many of them commercially, airfreighted to metropolitan customers.

The Indians argue that steelhead are a natural resource reserved to them in treaties dating from the Lincoln administration.

Their commercial harvest is a higher use than anglers' pursuit of the fish for sport, they say, because it is one of their few sources of livelihood.

"The white man thinks the river is for sport, but it's not; the river is for life," said Portland Indian poet Ed Edmo during one of Tuesday's demonstrations.

The parade began in the North Park Blocks with a prayer by medicine man Ladd Kahclamat — "My grandfather, have pity on me and let my people live."

Young men led the parade up Broadway carrying copies of the treaties rolled in deerskin, as well as sacred tribal totems.

Two medicine men marched behind them, followed by a group of tribal chanters drumming and singing the Nez Perce Spotted Eagle Song: "I am the first to fly over my Earth Mother; hear me as I sing."

Other marchers included children, women with infants in strollers, and hobbling elders. Betty Spino, 2½ months, daughter of Warm Springs members Frenchie and Gwen Spino, was the youngest.

A husky security force with handle-talkie radios kept the paraders in order and watched for interference.

Their only alarm came before the march began, when three members of the American Revolutionary Communist Party attempted to join them.

"Why won't you let us fight against the same aggressors?" one asked the security squad. "Just go away," he was told.

Rudy Salooskin, a Yakima fisherman, was the principal speaker at every stop.

At the federal courthouse, he explained through an amplifier that "We are Americans like all of you — we have been eliminated from our own land.

"We are willing to share our resource, as the courts have said we should, but we are not going to give it all up. We'll fight for what's left."

Later, at the Oregon Department of Fish & Wildlife headquarters, he told officials who watched from closed upper-story windows, "We think you are using Gestapo tactics. Our people have been hurt by you while trying to

carry out their fishing rights."

He threatened to take the appeal to the World Court, if necessary.

Randy Settler, a Yakima fisherman who also is a Portland State University student, shouted to the officials, "You guys are for the ocean fishermen, not the Indian fishermen. We want these fish to return to their natural habitat."

The tribal fishermen say they have lived up to a pact signed in 1977 in which they promised not to fish for steelhead, except for those trapped in nets set for salmon, if they got their share of the fall chinook runs.

But the states failed to curb ocean fishing as promised, and the runs were depleted, they say.

The states owe the tribes 283,000 uncaught salmon now, they argue. Attempting to restrict their harvest of steelhead on top of that, they say, is unconscionable.

inn
Do you happen to have any insiders involved?
Julie B 12/80

Columbia Indians meet to discuss water rights

Reserve 8-2-80
Indians of 11 Columbia River reservations opened a two-day conference in Portland that is expected to end with the formation of a defense league against federal challenges to their water rights.

A discussion of President Carter's policy of "quantification" — which would have tribes estimate their future water need — opened the program at the Portland Marriott Hotel.

The tribes argue that their right to water on the reservations cannot be limited, and federal court decisions have so far upheld the argument.

In treaties signed during the last century, the United States conceded that reservation water had been a gift of the Creator, and continued to belong to reserva-

tion residents unless they specifically signed it away.

In contrast, most other U.S. water rights are granted by the government to claimants who can show the water is not being used.

The reservation tribes say they cannot know what the future demand will be, and they are reluctant to give up their title to water that is not needed.

Thursday, three tribal groups said they will file separate suits in federal court to keep the water rights that were reserved for them in the Walla Walla Treaty of 1855. They are the residents of the Yakima, Umatilla and Nez Perce reservations.

Strachan breaks deadlock for Indian center

By MICHAEL ALESKO
of The Oregonian staff

Portland City Commissioner Margaret Strachan broke a five-month-old City Council deadlock Wednesday by voting in favor of the city's first Native American cultural center on the slopes of Mount Scott.

Wednesday's 3-2 vote, with Commissioners Mike Lindberg and Charles Jordan joining Ms. Strachan, granted a conditional-use permit to ANPO Inc. for a cultural, community and spiritual center.

The controversial center is planned for seven undeveloped acres off Southeast Mount Scott Boulevard near Interstate 205. ANPO Inc. is a non-profit corporation involved in social work and preservation of Native American culture and heritage.

The council last November tied 2-2 in voting on the center. At the time, there was a vacant council seat, which was filled by Ms. Strachan earlier this month.

Leaders of the Portland Native American community hailed the vote as a spiritual and legal victory, but their joy was tempered by a landowner living near the center who plans to appeal Wednesday's approval to the state Land Use Board of Appeals.

Steven Hawkins and his wife, Marlene, had appealed a city land-use hearings officer's approval of the center to the City Council, resulting in the vote Wednesday.

ANPO has used its Mount Scott land as a meeting place for some time. Various neighbors told the council in earlier hearings that the Indians made too

much noise on the land and that the proposed center would jeopardize their property values.

A city noise control officer conducted tests at the site and concluded that drumming and chanting confined inside buildings on the site would not violate city noise standards.

ANPO leaders recently charged they were being subjected to religious discrimination in their quest to obtain approval for their center. They said Wednesday they have won the support from the Ecumenical Ministries of Oregon and the American Jewish Association.

"This is not a religious issue. It is an issue of whether it is the best land use for the neighborhood," said Commissioner Mildred Schwab, who joined

Mayor Frank Ivancie in voting against the center.

"We strongly disagree with Mildred Schwab that this is not a spiritual issue," said Sandy Chamberlain, a spokeswoman for ANPO. "We do consider this a spiritual victory. This center provides the only access for the Indians in Portland to practice their religion."

Hawkins said, "I have nothing against them as a people, but they have shown bad faith."

Over the next several years, ANPO plans to build a small conference center, seven small overnight guest lodges called "hogans," four "sweat lodges" used for cultural cleansing ceremonies, a thatch-roofed arbor, a community restroom and shower building and an underground structure called a "kiva."

Fishing-rights dispute continues to make waves on Columbia

By TOM STIMMEL
of The Oregonian staff

STEVENSON, Wash. — Andy Sohapp says he keeps a gill net in the Columbia River all the time to protect his treaty right to take fish from the river.

"The only way they'll stop Indian fishing is to stop everybody else," he said. "They'll have to tear the dams down first before they'll stop Indian fishing."

Bob Lee says he doesn't expect any sport salmon or steelhead fishing to be permitted this year. Still, that won't be so much of a loss because the only season allowed last year was three short weekends on one small lake.

Employees at the federal hatchery on the Little White Salmon River say they can't expect a return of their stock if Indians fish from 10 at night until 4 in the morning with nets 40 feet deep and 60 or 80 or 100 feet wide. "It's like a log truck across the road."

Ed McLarney said he bought a 13-foot boat, "a little put-put thing," four years ago, and, "Nobody in the family has ever taken a fish out of that boat."

"The Indians probably got 50,000 fish above the dam (Bonneville Dam) last year and I'll bet sport fishermen got 1,500," McLarney said — "but that's a guess."

The comments, providing different perspectives, followed news that three Indian fishermen from Cook Landing, a few miles upstream from here, had been convicted by a federal jury Monday in Los Angeles for selling illegally caught fish. They were found in violation of the Lacey Act, something of a Mann Act for

fish, which was upgraded in 1981 to felony status providing penalties up to five years in prison and a \$20,000 fine for each violation.

Nineteen people, were indicted following an interagency law enforcement raid at Cook Landing last July when undercover agents bought 53 tons of illegal fish. Three pleaded guilty to misdemeanors, one was found innocent, and trials of the rest are scheduled later.

Two of the three convicted this week, still in jail awaiting a bail hearing Monday, are relatives of Andy Sohapp. One is his father, David, 57, and the other is his older brother, David Jr., 24.

Andy lives with his wife, Loretta, 23, and daughters Tanya, 4, and Karen, 2, in a house on a rip-rap bank right on the edge of the river. Nearby is the house of his parents, and just up the hill is the trailer house normally occupied by a couple named Jim — Bruce Jim, 37, one of the three defendants convicted, and Barbara Jim, 36, the defendant acquitted.

Andy Sohapp pointed to a line anchoring his net in the river. He said he had caught one steelhead Tuesday and another Wednesday. He would dry them to eat later, he said.

He was not caught in the big raid last year, but he says he sells fish, and was arrested on a state charge for selling fish in Seattle.

Andy said he fishes year-round under his interpretation — or his father's interpretation — of treaty rights permitting Indian fishing for subsistence and ceremonial purposes.

"Subsistence for us means to use for what we want," Sohapp said. "We can



Staff photo by BOB ELLIS

LOOKOUT — Andy Sohapp watches a boat skimming up the Columbia River near his home and fishing spot at

Cook Landing, east of Stevenson, Wash.. He keeps gillnet in water all the time to protect treaty rights.

sell it if we want to.

"For your own use only," he paraphrased the treaty, "is just how you define it."

"They try to make us look like we make the shortage," he said of nobody in particular. "They try to say all the fish are rightfully theirs. They are taking it out of our stock. Only the wild (runs) are returning."

"They're wiping them out down below. Gill-netters four or five days from Portland to the mouth — that's all it

takes."

As Sohapp spoke, another man came over from a group gathered around a pickup. He wanted to know what was being said, but refused to talk or give his name. "Newspapers only print lies," he said.

He went back to the pickup where he was tying a blue tarpaulin around what appeared to be a sturgeon that, from nose to tail, almost filled the length of the truckbed.

Just upstream and up the short

length of little Drano Lake — the only place where sport fishing was allowed last year — employees of the U.S. Fish and Wildlife Service, scoffed at the assertion that only wild fish were returning to spawn. "That's just 180 degrees off," one man said.

"If fish don't get netted, they come back here," another said. A chart on the wall showed that coho returns dropped from 18,577 in 1971 to 4,220 in 1972 and 1,991 in 1973. "That's when they really started gill-netting."

Like the man in the truck, they refused to give their names. "Talk to the boss in Vancouver."

Bob Lee is director of the Skamania County Planning Commission full time. Part time he is fisherman and hunter (he'd rather find food in the forest than the grocery store) and president of a consortium of outdoor recreationists called the Skamania County Sports Council.

A man who registers his protests quietly, he spoke of confusing and conflicting regulations. At one time a sport fisherman was allowed one fish a day on the Wind River (release chinook but keep coho, or steelhead inside the rail-road bridge) and one fish a day in Drano Lake (keep chinook or coho but release steelhead).

"It's easy to blame the Indians, but there's more to it than that," Lee said. "There are the dams, and management on the tributaries and headwaters, and ocean fishing..."

"But 53 tons. That would add a lot."

Ed McLarney is publisher of the weekly Skamania County Pioneer and has assessed many a local controversy. "The key to the salmon problem is very, very big money," he said. (An undercover agent reported paying one man \$18,895 for 788 fish in a three-day period, paying others \$12,182 for 294 fish over four days.)

"I think there is less animosity toward the Indians than there is toward the whole situation."

Roy Craft, editor emeritus of the Pioneer, said, "I've been here 25 years. This is a continuing controversy."

3 NW Indians guilty of illegal salmon sales

LOS ANGELES (AP) — Three Northwest Indians were convicted Monday of illegally selling Columbia River salmon to undercover agents but were acquitted of conspiring to violate wildlife laws. A fourth Indian was acquitted of all charges.

Immediately after the verdict in U.S. District Court, federal prosecutors asked that those convicted have their bail revoked.

A confidential informant told Washington state authorities that Indians living in the defendants' fishing camp at Cook's Landing on the river had purchased semiautomatic weapons, Justice Department attorney Lisa Hemmer said.

"The government has concern, as does the sheriff of Skamania County (Wash.), that there may be an armed insurrection at Cook's Landing," she said.

Judge Jack E. Tanner, who transferred the trial from Tacoma, Wash., ordered the three defendants jailed until a bail hearing Monday.

The trial began April 4, and the jury of seven women and five men deliberated over three days before returning the verdicts.

Convicted on eight counts of illegal sale of fish was Bruce Jim, 37, of Warm Springs, Ore. Jim, who lives

at Cook's Landing during the fishing season, faces a maximum sentence of 40 years in prison. He was acquitted of 12 other counts and his wife, Barbara, 36, was acquitted of all charges.

David SoHappy, 57, a Yakima Indian, was convicted on four counts of illegal sale of fish. His son, David SoHappy Jr., 24, was found guilty on two counts.

The defendants had admitted selling tons of fish to the agents in the fall of 1981 and spring of 1982 but claimed they had the right to do so because of centuries of tribal tradition.

The case was seen as an important test of the Lacey Act of 1981, which protects fish and wildlife by making violations of state and tribal game laws a violation of federal law punishable by up to five years in prison and a \$20,000 fine.

The elder SoHappy testified that he never had obtained fishing permits and that he openly flouted fishing laws to test the Indian fishing issue in court.

The four defendants were among 19 indicted in Tacoma last fall for allegedly illegally selling 53 tons of salmon, steelhead and sturgeon to undercover agents.

0 4-19-83

Fish poaching trial starts for NW group

By LEE SIEGEL

LOS ANGELES (AP) — Trial starts here Monday in a fish poaching case the prosecution says is an important step in defining a new federal law aimed at protecting fish and wildlife.

But federal public defender Tom Hillier contends the trial of 17 people — mostly Indians from Washington state and Oregon — is an effort to discredit American Indians, undermine their treaty rights and extend federal authority over tribes.

The trial, set for U.S. District Court here, was moved from Washington state because the question of Indian fishing rights "is certainly one of the most inflammatory issues in the history of the Pacific Northwest," says Hillier, who is based in Seattle.

Facing trial are 17 of 19 people named in a 28-count indictment, returned last October, alleging the defendants were members of a poaching ring that illegally caught, transported and sold about 53 tons of Columbia River salmon, steelhead trout and sturgeon. Two defendants already have pleaded guilty to misdemeanor charges and were placed on probation.

Prosecutors alleged the defendants caught the fish under the pretext of using them for ceremonial purposes but sold them for profit.

The jury trial has been broken into three parts because having 17 defendants and their 18 lawyers crammed into one courtroom would be unmanageable,

say Hillier and Assistant U.S. Attorney Steve Schroeder, who is prosecuting the case.

Four defendants — alleged ringleader David Sohapp Sr., a Yakima Indian; his son, David Sohapp Jr.; and Bruce and Barbara Jim — go on trial Monday. Ten days to two weeks after their case is completed, seven more defendants will stand trial. Trial for the remaining six defendants will follow the second segment.

Federal Judge Jack Tanner of Tacoma will hear the case, which has been dubbed "salmonscam" by some prosecutors because of the 14-month undercover "sting" operation by National Marine Fisheries Service agents and Oregon State Police who infiltrated the alleged poaching ring.

While the indictment outlines a variety of felony and misdemeanor violations by the defendants, the key to the case is the Lacey Act of 1981, violation of which Schroeder says is a felony carrying a maximum penalty of five years imprisonment and a \$20,000 fine.

Schroeder says the Lacey Act makes it a federal violation for anyone to import, export, sell, receive, acquire or purchase any fish or wildlife taken or possessed in violation of any other federal, state or Indian tribal law or rule.

"The statute was enacted to give meaningful penalties to any kind of illegal, large-scale, commercial activity dealing with wildlife," said Schroeder.

0 4-14-83

2 Indians claim right to sell poached fish

By ROBERT WELKOS

LA Times-Washington Post Service

LOS ANGELES — Two Pacific Northwest Indians admitted in federal court here Wednesday that they sold tons of poached Columbia River salmon to undercover agents, but they claimed they have the right to do so because of tribal traditions stretching back centuries.

David SoHappy Sr., 57, a gray-haired Yakima Indian from Cook's Landing, Wash., and a "healer" in his tribe's Seven-Drum and Feather religions, testified that he had fished the Columbia for years without obtaining permits and in open defiance of game wardens.

"I've never gotten around to getting a permit for hunting or fishing," SoHappy told a jury in the courtroom of U.S. District Judge Jack E. Tanner. "Any time you get a permit from somebody it's conforming to their ways."

SoHappy, who the government contends made about \$40,000 selling illegal fish to undercover agents, said he openly flouted fish laws to test the Indian fishing issue in the courts.

Bruce Jim, 37, a Warm Springs tribe member from Oregon and SoHappy's nephew, admitted selling huge amounts of salmon caught in gill nets to under-

cover agents.

"I fish all year long because that's the way I live," Jim said. "I believe the state has no regulatory power over us."

Despite state laws defining the fishing seasons, Jim said he believes the Indian fishing season on the Columbia River occurs "as long as there are fish."

SoHappy and Jim are key defendants in the trial that began April 4. Also on trial are Jim's wife, Barbara, 36, and SoHappy's son, David Jr., 24. Twelve other defendants are scheduled to go on trial when this case is over. Three others already have pleaded guilty and have been placed on probation.

Tanner transferred the case from Tacoma, Wash., because of controversy surrounding the Indian fishing issue in the Pacific Northwest.

The Indians were indicted last year after a 14-month undercover operation coordinated by the National Marine Fisheries Service in which agents bought 53 tons of salmon, steelhead and sturgeon from the Indians.

Defense attorney Tom Hillier told jurors that the undercover operation was "a sting, a scam, a setup." He said agents, using hidden tape recorders, tried to "create scenes" that the Indians were engaged in a large-scale conspiracy.

Letters to the Editor

Prison practices bring fear

To the Editor:

Lately, Governor Atiyeh has been pushing for the re-instatement of the death penalty. For government officials and Correctional Officers, only.

In addition to this Bill, Governor Atiyeh and other agencies throughout the State are pushing for another penitentiary. Eastern Oregon State Hospital is the main focus of attention, and in the eyes of the government, this new facility would provide an economic upswing for the city of Pendleton, while presenting nothing more than a temporary patchwork solution to the long range problem of overcrowding; as will the 200 man dormitory that is still under construction here at OSP.

There are ironies involved, that you, the public should become aware of:

1) On two occasions the Prison Bond Issue has been voted down by the public. The Legislature, however, has the power to provide the funds for the acquisition of another penitentiary. If this is in fact, true, then what purpose is there — in voting?

2) You, the public, are being

asked to reinstate the death penalty. But only for the purpose of protecting those whom you have elected to public office; who in turn, have hired family members and friends as Correctional Officers, to insure that whatever policies and standards set forth are enforced. Why not provide the same protection for one and all? Or, why at all?

3) Predicting the over-crowding problems, as they now exist, as well as the results of having these problems, took place in 1977, or, at the same time the Matrix System (Parole Standards) was first introduced into Oregon. Government Officials were aware then, that these predictions held truth, and yet, ignored them anyway, and instead, threatened the life of this writer if he continued to challenge the political aspirations of the Corrections Division for Oregon.

I am 31 years young, and already I have been threatened for my life on three occasions, for my outspokenness, and for my affiliation with the Native Americans. I have been paralyzed in one leg; the result of a shotgun blast while trying to resolve a situation initiated out of frustration. And, I've been vindictively sentenced for an unlawful act

I committed after being denied compensation and the physical and emotional stress that I yet endure, as a result of being shot.

I am only one inmate among thousands, lucky enough to be gifted with 'insight.' There are programs that have been implemented within the Correctional System, that has an inmate's signature stamped on the program's origin. These programs, however, are only accepted if they provide a step toward the ultimate goal of expanding the Corrections System.

I have a story to tell that will prove (beyond a reasonable doubt) that the problems, you, the public are confronted with, were premeditated in their implementation by a number of Government Officials and Agencies.

I am frightened by what I see taking place, in the Corrections System. Most people could care less what happens to a prisoner, until that prisoner becomes one of their own. There is a great deal of progressive thought within the minds of the inmates, but it requires the attention of you, the public to understand the reality of what is going on.

Jerry L. Albers

PO 5-18-83

Wasco judge will rule on trial venue change for 13 Indians in fishing case

THE OREGONIAN, TUESDAY, DECEMBER 20, 1983

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By JEANNE SENIOR
Correspondent, The Oregonian

THE DALLES — Wasco County Circuit Court Judge John Jelderks will rule Tuesday on defense motions to change the site from Hood River and Wasco counties to Multnomah County for the trials of 13 Indian defendants accused of illegal fishing.

Defense attorney Jack L. Schwartz of Portland told the court that an atmosphere of racism in the two counties would prevent his clients from obtaining a fair trial there. The defendants were arrested beginning in June of 1982 as a result of a massive undercover investigation headed by the National Marine Fisheries Services, assisted by state law enforcement agencies.

To support his allegation, Schwartz called as a witness Portland consultant Arnold Cogan, head of Cogan and Associates and a partner in the Litigation Attitudes Group.

Schwartz hired Cogan to conduct a survey in the three counties to determine attitudes prospective jurors might have. Cogan did a series of personal interviews with community leaders in Hood River and Wasco counties, an analysis of pre-trial publicity in all three

counties and a random sample telephone survey of community attitudes in Wasco and Multnomah counties.

Relating results of the personal interviews with 14 community leaders in Hood River and Wasco counties, Cogan said "generally the people we interviewed feel there is a widespread community attitude that Indians are fishing illegally and that treaty rights are not valid."

He said interviewees were also told there is a general perception that Indians are depleting the resource and that they are being given special privileges and special treatment.

Heavy police surveillance of the fishing during the past year has tended to corroborate a feeling that "Indian fishing is illegal," Cogan said.

A total of 308 registered voters were contacted, half in Wasco and half in Multnomah counties in the telephone survey. Two-thirds of those contacted in Wasco County, Cogan said, told surveyors they had formed an opinion as to the Indian defendants' guilt or innocence, twice the number who held that view in Multnomah County. One-third of those answering the poll in Wasco County said the defendants would not

get a fair trial there, again twice the number who gave that response in Multnomah County.

Reports in local newspapers of the fishing arrests "gave the impression that the Indians were in fact guilty" because they reported the arrest but failed to have follow-up coverage, said Cogan. The press in Wasco County apparently contributed to an environment which would make a fair trial there "difficult," he said.

Hood River County District Attorney Hugh Garrabrant attacked Cogan's methodology, pointing out that only a small portion of the research was done in Wasco County. He said in three trials in the county which involved Indians, two of the cases were won by the Indians.

Bernard Smith, Wasco County district attorney, said Schwartz's allegations of "pervasive bias are an insult to the people of Wasco County."

Schwartz said there is a "cancer of racism" in the two counties, and that their demography guarantees "lily white juries" who hear the cases.

If Jelderks denies the change of venue motion, jury selection is set to begin at 1 p.m. Tuesday for the first of the fishing trials, which will be against James Wolf, an enrolled member of the Warm Springs tribe.

On Tuesday morning, the judge is set to hear additional arguments regarding Schwartz's motions to dismiss the cases due to selective and vindictive prosecution of the defendants.

Indians sue to block evictions from 5 fishing sites

By JEANIE SENIOR
Correspondent, The Oregonian

Seven Indian fishermen are suing to halt U.S. government evictions of Indians from five fishing sites along the Columbia River from Cascade Locks to The Dalles.

The lawsuit was filed Tuesday in U.S. District Court in Portland following denial of the Indians' motion for reconsideration of a ruling on the evictions by the U.S. Department of the Interior's Board of Indian Appeals.

In April, an appeals board judge upheld a 1984 decision by the Bureau of Indian Affairs to issue eviction notices at the five sites. The notices were posted at sites at Cooks Landing, Wind River and Underwood in Washington and in Oregon at Cascade Locks and Lone Pine near The Dalles.

They warned the owners of cabins, trailers and other property that they were illegally occupying federal property. The five sites, which total about 40 acres, were purchased in the 1940s to

replace traditional fishing sites Northwest Indians lost to construction of Bonneville Dam.

The lawsuit contends Indian fishermen have a right to live at the sites. It also says the gov-

**"Their appeals have
been exhausted so . . .
a suit is the next step."**

ernment should rebuild villages along the river to replace those flooded by Columbia River dams.

The suit was filed by Portland attorneys Jack L. Schwartz and Gary Berne for property owners David Sohapp Sr., Myra Sohapp, David Sohapp Jr., John Alexander, Michael Hunt, Johnny Kuneki Queampts, Johnny Jackson and the chiefs and council of the Columbia River Indians.

Brad Buvinger, project administrator for the Columbia River Defense Project, said the suit alleges that the intent of the 1945 federal act was to create a place where people could remain on the river. According to the suit, Buvinger said, the eviction notices constitute a taking of private property without hearings or compensation.

Jerry Muskrat, administrative judge for the Board of Indian Appeals, wrote in his April 4 decision that the departmental regulation "clearly contemplates only the temporary use of the sites during the fishing season."

He said bureau officials had "properly determined" that use of the sites for permanent residences or to store trailers or other property violated the regulations.

Schwartz, responding to Muskrat's ruling, called the eviction notices "vindictive." The attorney also said 39 Indian villages had been flooded by Bonneville Dam.

Assistant U.S. Attorney George D. Dysart said the sites "were never intended for individual

occupancy but people have nevertheless settled there."

He said the sites were meant for temporary use during fishing season and were considered available to all tribes, although only a few tribes make use of them.

"The (Bureau of Indian Affairs) has tried for years and years to work things out with (persons living on the sites) and to ease the process. They were given notices long beforehand and BIA offered assistance in relocation," Dysart said.

"Their appeals have been exhausted so I guess, a suit is the next step," he said.

Named as defendants in the suit are U.S. Secretary of the Interior Donald P. Hodel; Ross Swimmer, head of the Bureau of Indian Affairs; Stanley Speaks, Portland area bureau director; U.S. Secretary of Defense Caspar W. Weinberger; Secretary of the Army John Marsh; Joseph Bratton, chief of the U.S. Army Corps of Engineers; and Col. Gary Lord, Portland, district engineer for the Corps of Engineers.

D 6-7-86

Indian activist receives probation for break-in

HILLSBORO — Indian activist Gary Butler was placed on three years' probation Friday for a 1981 break-in at a cabin near Toledo.

The sentence was imposed by Lincoln County Circuit Judge Charles Littlehales, who presided over an April jury trial in Washington County in which Butler, 28, was convicted of first-degree burglary. The trial had been moved from Newport.

Littlehales also ordered Butler to perform 240 hours of community service.

Butler was convicted of breaking into a remote cabin on Jan. 22 or 23, 1981. Police said that whoever broke in ate some food and took some clothing and blankets.

The defense position at the trial was that Butler entered the cabin in an emergency on a cold and stormy night.

Gary Butler and his cousin, Dino Butler, 43, who are Siletz Indians,

were acquitted in October of the stabbing death of Donald Pier, 43. According to trial testimony, Pier was an Indian-artifacts dealer who allegedly was involved in digging at Lincoln County Indian burial sites. The prosecution in the murder trial claimed Pier was killed because of resentment that none of the grave robbers was prosecuted.

The break-in at the Toledo cabin occurred 24 to 30 hours after the Pier killing.

"I just feel my life has had a change in the last five years," Butler told the judge. He said he had stopped drinking and that he was married with a child on the way.

"I want to work with my tribe back in Siletz," Butler said.

Butler acknowledged that he had lived a "pretty wild life" in his younger days. "I didn't have respect for myself or anyone else," he said, adding that family life and "working for my people" had brought him stability.

Littlehales, who said he remembered Butler from the defendant's "wild and woolly days," said Butler was a "good candidate for probation." The judge said Butler could do the community service work for the tribe.

Indian rights activist convicted of burglary

HILLSBORO — An Indian rights activist was found guilty Wednesday in Washington County Circuit Court of burglary in a 1981 break-in at a cabin near Toledo.

Lincoln County Circuit Judge Charles Littlehales, who presided at the trial, which was moved from Newport, set May 27 for the sentencing of Gary Butler, 28. The jury deliberated about 4½ hours in reaching its decision on the break-in, which took place late Jan. 22 or early Jan. 23, 1981, at the remote cabin of Toledo-area millworker Charles Fritz.

The position of defense attorney Patrick Birmingham of Portland was that Butler had entered the Fritz cabin in an emergency on a cold and stormy night after having been refused assist-

ance by the occupant of another cabin in the area.

Police reports after the break-in indicated that whoever broke in cooked bacon and eggs and took a pair of Fritz's jeans and two or three blankets. Wet jeans and a jacket, later identified as Gary Butler's, were found in the cabin.

Butler did not testify at the burglary trial.

Fritz testified at the trial this week that additional items were taken from the cabin and that burned matches were found in the building. Birmingham contended that the entry into Fritz's cabin amounted to trespass at worst, but not to burglary.

Gary Butler and his cousin, Dino

Butler, 43, who are Siletz Indians, were found innocent in October in the stabbing death of Donald Pier, 43. Pier, according to trial testimony, was an alleged Indian-artifacts dealer who was among six Lincoln County men involved in 1978-79 in digging at Indian burial sites for trade beads, coins and other items.

The prosecution at the murder trial contended Pier was killed because of Indian resentment that none of the alleged grave robbers was prosecuted. The defense contended there was no evidence to prove the Butlers were at the scene of the Jan. 21, 1981, killing of Pier in Toledo.

Birmingham said the entry of Fritz's cabin came 24 to 30 hours after Pier was killed.



Pat and family back in Portland. Seated from Left: Husband Roger and Pat with grandson Moon. Standing from left: Granddaughter Yoland and friend. Far right: Althea.

636 NE Beech



**Althea talks of her life on the reservation,
Indian schools and the Longest Walk.**