Indians optimistic about land claims

By MELINDA SHELTON
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WASHINGTON — Following the first round of negotiations between attorneys for the Tunica-Biloxi Tribe of Louisiana and state and federal representatives, there is a feeling of optimism with the Indians' attorneys that a land claim settlement can be reached.

The Tunica, a tribe with a membership of 600 descendants and some 30 active members, last year filed a claim to 17,000 acres of property in Rapides and Avoyelles parishes. The tribe currently has 132 acres of land at its tribal center in Marksville.

Chairman Earl Babry and Vice Chairman Harry Broussard attended Tuesday's meeting.

Arlinda Locklear, attorney with the Native American Rights Fund, which is working with the Tunica, said Tuesday's meeting provided the opportunity for the Indians, Louisiana and the federal government to discuss data needed by each party during further negotiations.

Representing Louisiana during the land claim negotiations is Fred Benton Jr., a Baton Rouge attorney. Roy Samuels is representing the Department of the Interior, according to Ms. Locklear. Assisting Ms. Locklear are Lawrence A. Aschenbrenner with NARF, and Don Junes, a New Orleans attorney.

Prior to Tuesday's meeting, an initial appraisal report was completed by a New Orleans-based firm on the property involved in the claim. Estimates ranged from $28,602,600 to $38,708,700 based on unimproved land status, and from $82,296,600 to $111,309,600 for improved land value.

"Everybody got along well," Ms. Locklear said, referring to the first meeting of the involved parties. "I'm optimistic that we can come up with some form of a settlement. Basically, this first meeting provided the opportunity to discuss the data we all need during the proceeding meetings. There are a number of things to determine for all sides before we can start discussing figures and acres."

During the meeting, Ms. Locklear said, it was decided that the Bureau of Indian Affairs will send an Indian agent to the tribal center in Marksville to assess the various needs of the tribe. She said that, through the BIA, tribes can be eligible for assistance in meeting housing, education and health needs. In this particular instance, the assessment will be intensified to determine the needs and how they can be met through inclusion in the settlement, she added.

"It will be an overall assessment to determine where the Tunica stand on the socio-economic basis and how that could apply to the settlement," Ms. Locklear said. "This commonly happens in land claim negotiations."

In past land claim negotiations, the attorney said, data was collected to determine three possible settlements, which include development of a trust fund that would designate a certain amount of money for specific usages, awarding of a certain amount of acres, or an "in between" settlement that could provide money for purchase of land or acquisition of property.

Ms. Locklear said many details have yet to be discussed before a settlement can be reached and sent to Congress for approval. She stressed, however, that the Tunica are not looking to evict landowners from property involved in the claim, but "want to maintain the goodwill of their neighbors."

"A lot of landowners are concerned that their property will be taken," she said. "The purpose of these meetings is to avoid that. Nobody is contemplating action against them."

"In other settlements, the United States has never evicted anyone on behalf of the Indians, and I don't look for that to start now. That would be too drastic and too severe an action."

If property does change hands as part of the settlement, the attorney added, it is usually voluntarily sold by an owner or is state-owned and donated by the state to the tribe.

The amount of land settled upon, she added, will depend on its planned usage, whether for farming, housing or some other similar involvement.

There were no monetary or acreage figures discussed Tuesday, Ms. Locklear said, and it could be several meetings before such details surface.

The next meeting between the Indians and the state and federal governments is scheduled May 11 in Marksville. Ms. Locklear said the meeting will be closed to the public because of its legal nature.