

Buy-out on the Trail of Broken Treaties
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My friend Sam Deloria e-mailed me recently that he didn't realize that I was the "bag man" in the infamous buy-out of AIM when they led the take over and occupation of the BIA building in Washington, DC. That was the culmination of the Trail of Broken Treaties walk across the US in November 1972. It seems he read that in a column by Tim Giago.

Giago quoted from a book by Robert Burnette of Rosebud that the BIA, afraid to do it themselves, got me to deliver the \$65,000 cash to AIM in order for them to vacate the building. According to Burnette, I took the cash in two suitcases, left them on the steps of the BIA building, and hurried away. Giago commented that it was something that, to this day, I won't admit that I had done. So I thought that it would be worth while to recount that event more historically accurate than Mr. Giago did.

The occupation of the BIA building occurred in November 1972, during my first weeks as executive director of the National Congress of American Indians. Prior to the arrival of the TBT caravan in Washington, NCAI and other organizations had convened meetings to facilitate the caravan activities when they did arrive. We had hoped to help avert any violent confrontations, but were pretty much ignored by the AIM planners, and disdainfully ignored by the National Council on Indian Opportunity, the Administration's Indian outlet, which was under the leadership of VP Spiro Agnew. So, we decided to sit by and see how things played out.

Soon after the arrival, after a small confrontation with security guards at the BIA, the AIM led a takeover of the building, barricading the doors, and arming themselves with whatever they could fashion with table legs and other blunt instruments. Then they held the building for ten days. With the world watching on TV, President Nixon's White House wanted no action to embarrass his tenure.

Several days into the occupation I was contacted by a staff member of the White House and was asked if NCAI would serve as a go-between in an arrangement that had been worked out with AIM. We would serve as a pass-through to AIM of federal funds and they would in turn vacate the building. The funds, at first estimated at \$45,000, would be used ostensibly to help the Indian people who came in the caravan return to their homes across the country.

The occupation had become a stand-off situation in which both parties – AIM and the administration – wanted to extricate themselves without bloodshed and/or embarrassment.

We first declined to become involved, although we were assured that the entire arrangement was worked out with AIM, and we would serve only as the conduit. But knowing that we would be painted as sell-outs, we still declined.

However, in a later call that evening, I was advised the U.S. Marshals, the D.C. Police, and the Parks Police could not be stalled much longer from forcibly removing the occupiers, and it was urgent to end the occupation immediately.

When I had visited the building soon after it had been occupied, I could smell gasoline, and was informed that on the second or third floor there were crates of pop bottles filled with gasoline and fixed with fuses – firebombs to discourage any attacks on the part of the police. There were children in the building, as well as women, some very old, and we knew that their lives would be endangered in a violent confrontation. Considering this, we agreed to meet with the representatives from AIM and the administration over at the New Executive Office Building in the White House complex.

When we arrived at the meeting, were derided by AIM as we had anticipated: “Here come the sell-outs to buy us off,” or words to that effect. We told them that we had understood that the two parties had already worked out an agreement, and we were only there to help. As we turned to leave the meeting, AIM members called us back and asked all the whites to leave the meeting, that they wanted to talk to us alone. (It occurred to me later that likely every word that was said was gotten on tape by well-placed FBI bugs.) We were assured by AIM that they didn’t consider us sell-outs, but had to act recalcitrant in order to negotiate the best deal.

NCAI proved to be the quickest way to get federal funds to the occupiers. We had an ongoing OEO-funded program that would be authorized to pay funds to AIM, which would be replaced in our bank account in short order. There was no way to justify such funds through the regular process. In that meeting the occupiers figure was over the \$45,000 they initially estimated, and the amount was still increasing. We informed the White House that we had only \$35,000 in our OEO account. Other funds in our account from tribal dues and fund-raising, would not be touched.

The White House assured us that replacing those funds would be no problem. Then we demanded assurance that Indian funds in OEO would not be used for the pay-off at the expense of other Indian programs. We were assured of that as well. When we left the meeting, it was by then quite late in the evening.

The next day we met at the Riggs National Bank on Dupont Circle where NCAI’s accounts were held. The bank’s meeting room was soon filled with bank officers, White House representatives, several people representing AIM, and a few of us from NCAI, including Franklin Ducheneaux, our in-house legal advisor. By then the negotiated figure had grown to \$66,650. With White House assurance that the funds would be replaced quickly, the bank authorized an overdraft to cover the entire \$66,650.

The check was drafted and signed by me and, as I recall, several others, including AIM representatives. The cash, in neat bundles, was brought out and piled on the conference table. It struck me strange how relatively small the stacks were for such a large amount of cash, perhaps enough to fill a regular briefcase. AIM was asked if they wanted to count the funds, and declined. They were then asked if they wanted canvas bags provided by

the bank, and a bang guard to escort them. This they heartily declined. They placed the money in two large envelopes that they had brought. They left, and that concluded the transfer.

Howard Phillips, one of Nixon's more conservative operatives, was in charge of the OEO and was directed by the White House to replenish our program funds and pay the bank for the overdraft. I had heard that he refused, saying that he would be no part of paying AIM for breaking the law. He was placed on leave, I had heard, and replaced temporarily by an officer who had no problem authorizing the payments.

The OEO money was replaced in our account, and we declined to request "carrying charges" for bailing out both sides in what might have been a tragic fiasco. NCAI was criticized from various quarters about our role in this strange episode, but we were always satisfied that what we did probably saved lives of women and children who were part of the demonstration as sincere people demanding rights and justice. We had no regrets.

Very soon after the Trail of Broken Treaties, a book by Robert Burnette was released which included his version of how the transfer of funds took place, with me delivering the funds in two large suitcases. Yet another account had John Dean, later of Watergate fame, delivering the cash in bags from McDonalds. When I confronted Burnette on his inaccuracies, he yelled, "Don't tell me what happened, I WAS THERE!" He may have been in Washington, but he was not in the bank where the transaction took place.

In the end, there were OEO papers to sign justifying the additional funds to replenish our program budget. Whoever the OEO official was that wrote the justification obviously had a sense of humor, for the narrative began, "It seems a bunch of Indians came to town...."