jeopardizes their self-determination. "Once people understand that these contracts undermine our sovereignty and our lives," Rodarte explained, "we've been really successful in stopping [the projects], even when the Tribal Council is sold out." In a recent dramatic reversal, for example, the Kaw Tribal Council in Oklahoma was forced to renege on a signed agreement with Waste Tech, Inc. of Golden, Colorado for a hazardous waste incinerator after Kaw people organized themselves into a "Campaign for Sovereignty."

Lack of Accountability

The battles over toxic burning and dumping on Sioux land in South Dakota, the Campo, Los Coyotes and Barona reservations near San Diego, the Kaw in Oklahoma and dozens of other Native American locations from New York to Alaska have, in most cases, one striking commonality. The community/environmental movement that organizes to fight the project almost invariably finds itself fighting its own elected leadership — the Tribal Council — as well.

The Tribal Council structure was put into place in 1934 with the passing of the Indian Reorganization Act in Congress. Under this restructuring, a system of government was set up whereby the people could elect their own Council, but the Council itself was only accountable to the Bureau of Indian Affairs in Washington. The Councils were given the authority to disburse the BIA grants made available to each Native American nation, and also to administer any federal programs for economic development, social services, and the like. With little oversight to determine exactly how the funds and programs were distributed, many Tribal Councils and leaders quickly discovered the obvious opportunities for graft, corruption and payoffs to maintain power and enrich themselves.

"These guys are like little kings," Steve Banegas, a resident on the Barona reservation explains, "once they get into office they try to take all the power, and do anything to avoid losing it. They have the power to determine who gets what [on the reservation] in the way of housing, loans, water and electricity, and when they don't like you they can cut you off."

The system often requires large doses of intimidation to keep functioning. "When

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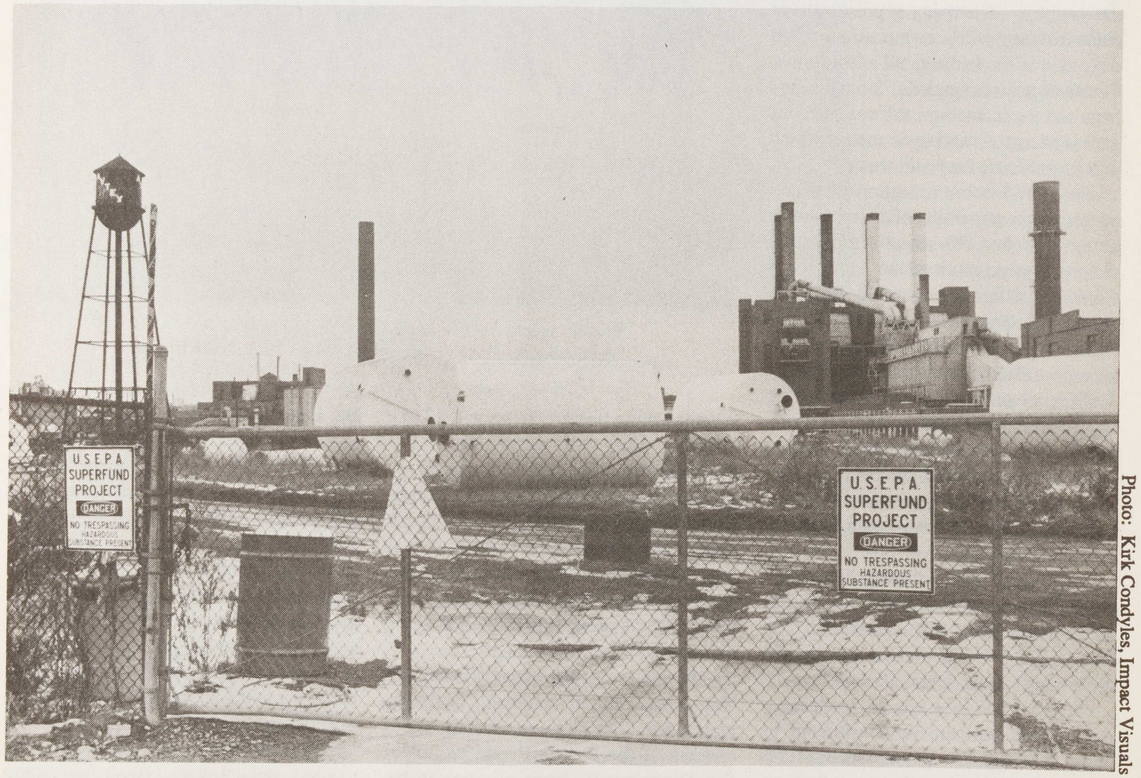
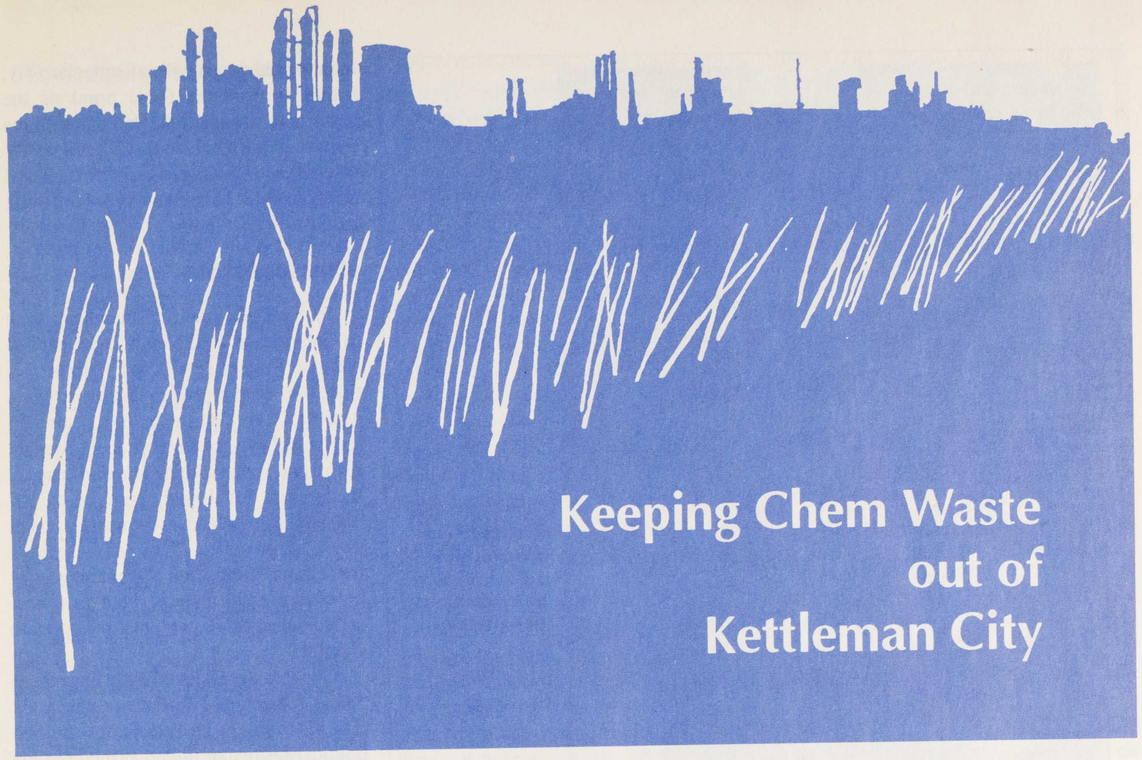


Photo: Kirk Condyles, Impact Visuals

Far too many toxic waste incinerators, chemical factories and similar facilities wind up as Superfund sites — places so heavily contaminated with poisons that the federal government has had to step in to clean them up.



Keeping Chem Waste out of Kettleman City

By David Portillo

The people in charge at the Chemical Waste Management company thought they would have no problem erecting a massive toxic waste incinerator in Kettleman City, a small Central California town in Kings County. After all, Chem Waste had established a nation-wide pattern of siting all its dangerous toxic incinerators in poor communities of color. This low-income farmworker town — where most residents speak little or no English — already holds the distinction of housing another Chem Waste project, the largest facility in the Western United States for handling hazardous chemical wastes such as PCBs, benzene, and asbestos.

But to Chem Waste managers' dismay, the people have caught on. "We're saying *basta*! (Enough is enough!)" said Mary Lou Mares of *El Pueblo para el Aire y Agua Limpio* (People for Clean Air and Water), the organization that residents formed to fight Chem Waste. In the three and a half years since the original proposal, this 350-member organization in tiny Kettleman City has held off the largest toxic waste corporation in the country.

Espy Maya, now an *El Pueblo* leader, became aware of the scope of what was happening to her community when she attended a public meeting held in the school cafeteria. There was something strange about the packed room. Maya recalls, "I stood up and asked, 'who here is from Kettleman City?'" and except for the handful of people she'd managed to grab and rush to the proceedings, a sea of Chem Waste employees in their Chem Waste t-shirts stared blankly back at her.

"Public Information" Keeps People in the Dark

In a town with a ninety-five percent Latino population, forty percent of whom are monolingual Spanish-speakers, not one announcement had been translated or released to the Spanish-language media. "I looked at the list of other public meetings and the date of the actual hearing and realized that none were going to be held in Kettleman City, the site of the [proposed] incinerator," remembers Maya. This was Kings County's way of "informing" Kettleman residents.

This process of "public information" probably accounts for the fact that few residents knew about the hazardous waste dump built in 1979 until clouds of foul-smelling gases began to drift over the town. The nation's fourth largest toxic dump, it accepts hazardous waste from all over the country and is only four miles from the heart of Kettleman City.

Given this history, organizers wanted to make their presence known at the county's only public hearing on the proposed incinerator, held in November 1990. Though the county tried to