

Promoting Indian gaming hasn't typically been considered an altruistic venture — particularly on K Street, where greed and gambling met to produce a low point for the lobbying industry, the Jack Abramoff scandal.

But one of Washington's most powerful lobbying firms has apparently taken up, for a relative pittance, the high-stakes cause of a one-time tribal leader whose bid for recognition, if successful, could permit him to open the first Indian casino in the Los Angeles metropolitan area.

The lobbying by Barbour Griffith & Rogers is raising eyebrows on K Street and among American Indian groups in part because of the unusual client and payment arrangements.

Instead of listing the tribe, the Juaneno Band of Mission Indians, as its client, BGR lists a little-known Texas lobbying firm, Hard Count Inc. And disclosure forms, along with the client's comments, show that BGR is working for a fraction of its usual fee.

The firm typically charges from \$15,000 to \$50,000 and more per month for its lobbying services.

And some of BGR's heaviest hitters have registered to lobby on Juaneno recognition, including founder Edward M. Rogers, a former senior political aide to President George H.W. Bush; Daniel Murphy, a top Housing and Urban Development official under the first President Bush; and two former senior officials of the current administration: Eric Burgeson, who was chief of staff at the Department of Energy, and Robert Wood, who was chief of staff at the Department of Health and Human Services.

On the firm's lobbying disclosure form for the first six months of 2007, BGR reported earning less than \$10,000 for its work, which began some time around April. At issue is a 25-year battle by the Juaneno band to be recognized by the U.S. Bureau of Indian Affairs.

The bureau is in the final stages of its decision-making process and is expected to make a ruling within weeks. If the Juanenos' claim of ancestral territory in Southern California is recognized, the tribe could open a casino in what is potentially one of the most lucrative gaming

markets in the country.

The gap between BGR's muscle and its price tag has raised allegations, from other tribal factions and from opponents of Juaneno recognition, that BGR stands to gain from what could be an enormously lucrative Los Angeles casino.

Suspicion is fueled by Hard Count's contract. Its president, Billy Horton, is in line to receive 5 percent of the tribe's business revenue for seven years if, at any point, the annual revenue exceeds \$10 million.

Such contingency arrangements are not illegal, but they are unusual in the lobbying community. BGR officials say they are receiving only a small monthly retainer now.

But they demurred when asked if future payments could include percentages of tribal businesses. "Barbour Griffith & Rogers is not being paid by any gaming or casino interests for its work on behalf of Hard Count and the Juaneno Band of Mission Indians," BGR's Burgeson said in an e-mail.

Horton said BGR is doing the work because they were moved by the cause of his client.

"They basically felt compelled to help us [because] these guys are getting the shaft," said Horton, who represents an ousted chairman of the tribe, David Belardes.

Horton said he and BGR are working both for the tribe's recognition and to restore Belardes' leadership status. Rather than a casino, Horton said, Belardes' first priority would be to expand the tribe's museum.

But Rep. John Campbell (R-Calif.), who represents Orange County and opposes the idea of putting a casino in his district, scoffed at such good-hearted motivations. "There is nothing charitable about these Indian casino deals — this is all about very, very, very big money," he

said.

Horton said that he had met Belardes through a family connection and that he and BGR are both motivated by the alleged wrong done Belardes, whose “identity was stolen” by his rivals for the potentially lucrative tribal designation.

The tribe’s leaders say they and the thousand or more members are descendants of Indians who lived for thousands of years in the part of Southern California now known as Orange County, and whose downfall began with the arrival of Spanish missionaries in 1769.

The websites of various tribal factions agree that their troubles with the federal government extend from the 19th century to the present and that they deserve recognition as an autonomous nation, a status that would — they say incidentally — permit them to open and operate casinos.

But the tribe has been plagued by internal divisions. Belardes was ejected from the tribe in 1997 after losing a leadership battle, and the tribe subsequently split into at least three feuding groups.

The federal government currently recognizes a group labeled 84(a) and led by Anthony Rivera as its primary interlocutor, though Belardes claims that the group he leads deserves that designation. Belardes is also in talks with at least one other faction, known as 84(b), about reunification, said Sonja Johnson, an official of that faction.

Belardes did not respond to several messages left for him at his home and office in San Juan Capistrano, Calif.

Rivera, who — like Belardes and at least one other tribal leader — claims the title of chairman of the Juaneno Band of Mission Indians, dismissed Belardes’ complaints as sour grapes and called Belardes’ arrangement to share revenues with Horton “outrageous” and “desperate.”

Horton, in turn, accused Rivera of being on the payroll of gambling investors and demanded to know how he was paying his own Washington lobbyists.

Rivera's lobbyist, Paul Moorehead, a former chief counsel to the Senate Indian Affairs Committee, reported being paid \$20,000 in his 2007 midyear disclosure form. Rivera denied having any connection to gaming but said he would not disclose the identity of donors to the tribe.

Rivera also condemned the choice of BGR, which is controversial in Indian country for its work on behalf of a successful drive to revoke the sovereignty of two Indian tribes in Connecticut in 2005.

"If he can't get his way, he's going to find a way to oppose our petition, and the best way to do that is to turn to BGR," Rivera said of Belardes.

Horton denied the charge. "[The lobbyists'] commitment is to assist in any way they can with the Belardes petition," he said, referring to the original 1982 petition. "You either, as a tribe, win or lose together."