

AGENDA

MEETING OF THE COMMISSION ON INDIAN AFFAIRS

JUNE 18, 1965

OUTLINE OF TOPICS CONCERNING RECENT EVENTS IN INDIAN AFFAIRS FOR CONSIDERATION AND DISCUSSION

THE WAR ON POVERTY (Economic Opportunity Act of 1964) Initial programs; changes; "overlapping uplift"

1. Project Headstart
2. Job Corps Camps ("Profile of a Job Corpsman")
3. Neighborhood Youth Camps
4. VISTA Volunteers: Training program now in progress (week of June 14) at Arizona State University
5. Senate approval of \$3.3 billion distressed areas bill
6. Dent amendment to Educational Aid Bill, denying aid to certain Indian children, withdrawn
7. House Appropriations Committee deleted the \$13 million segregated Indian school planned for Albuquerque. A Senate appropriation of \$689,000 to be used in planning a segregated school to take the place of the old Albuquerque Indian School was also deleted.
8. Five Indian reservations with populations of 1,000 and over now eligible for Public Works and Area Redevelopment Administration benefits; minimum population eligible to receive benefits formerly 1,500. However, there are ten pueblos with less than 1,000 population.
9. Community Improvement Association of Cochiti, Jemez and Zia Pueblos has applied to Washington for Neighborhood Youth Corps funds to be used in these communities this summer.

10. Community Action Programs under OEO have been approved for some of the pueblos and for the Navajo reservation, although some funds had not been received as of June 14. Others have sent in proposals; some are still working on theirs. After waiting three months for funds for their program, costing nearly a million dollars, the Navajo Tribal Chairman sent an urgent message to members of Congress; expect to have funds soon. Isleta Pueblo granted \$51,238 for manpower and human resources development program, along with preschool kindergarten. Acoma has sent in application for VISTA Volunteers; several reservations want them. Laguna gets Youth Corps project for 332 enrollees. Cost will be \$162,210; Federal share \$138,570.

Mescalero has a Headstart program for some 60 children, which was started June 14.

Gradually increasing Indian participation, despite editorial quoted in Congressional Record (May 26, 1965, Page A 2668) entitled, "The Great Society is not for Indians."

New Mexico represented on President's Task Force, set up for reservation Community Action Programs, by James S. Hena, former Governor of Tesuque Pueblo.

LEGISLATION (89th Congress)

1. Senate bills on Constitutional Rights of Indians introduced by Senator Ervin: S. 961, S. 962, S. 963, S. 964, S. 965, S. 966, S. 967, S. 968. Senate Joint Resolution 40: compilation of Indian laws, treaties, etc.
2. H.R. 80: To authorize investigations and studies, including withdrawal of Federal services to Indians.
3. S. 1648: A bill to provide grants for public works and development facilities, other financial assistance and the planning and coordination needed to alleviate conditions of substantial and persistent unemployment and underemployment in economically distressed areas and regions.
4. S. 96: A bill to amend the Indian Long-Term Leasing Act.

5. S. 56: A bill to authorize Federal assistance for the construction by public school districts of classroom facilities needed for the education of Indian children who reside outside the boundaries of the district.
6. S. 253: To authorize assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations, with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States, and for other purposes.
7. S. 1462: A bill to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands.
8. H. R. 8335: To terminate the Indian Claims Commission. (also S. 2043)
9. H. R. 7115: A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the welfare of the Indian tribes by making available to them surplus personal property.
10. State and Local Regulation of Use of Indian Property (Federal Register, May 8, 1965)
11. Reapportionment measures: this question is still not settled; could make a difference in the number of Indians in the New Mexico legislature.
12. Suggested bill to authorize the transfer of any Indian Reservation or other restricted lands from the status of restricted Indian lands to permanent National Indian Reserves.

SOME TRENDS AND DEVELOPMENTS

1. The U. S. Supreme Court has decided, in the case of Warren Trading Post vs. The State of Arizona, that the State could not place a tax on the privilege of doing business on a reservation. New Mexico, through the Attorney General's office, is preparing a brief by which it hopes to overthrow this ruling on the ground that since the State confers benefits upon the Indians within its boundaries, even though the State lacks jurisdiction over the reservations, it is entitled to collect certain taxes.

2. The Federal Government, through its relocation program, is looking for 1,500 men "willing to move," so that men from long-depressed areas may be moved to places where jobs are available.
3. Long-range planning underway for recreation at Navajo Lake, near Aztec, New Mexico. State Park & Recreation Commission planning a 25-year program with revenue-producing facilities.
4. Big timber sale on Mescalero Apache Reservation. Californian bid \$1,927,400 for the biggest lot of timber ever offered by the Tribe. Bid provides for location of sawmill within five miles of Alamogordo or at site agreeable to both parties.
5. Zuni Pueblo has asked that the old pueblo of Hawikuh be designated a National Monument. Other plans being made.
6. Jicarilla Apaches now have cocktail lounge with wall-to-wall carpeting, piped-in music, and "a liquor inventory as complete as any in the big cities;" also modern motel, package liquor store, and a shopping center complex.
7. The Navajo Tribal Council has approved unanimously a budget of \$17,789,212.60 for the coming fiscal year. The last budget item to be approved--one which had been previously rejected--was \$111,013 for the office of Tribal Chairman Nakai.
8. The Gallup Area Accounting Office of the Bureau of Indian Affairs and six other similar operations will be consolidated into a central headquarters at Albuquerque after January 1. The six other accounting offices to be consolidated are Washington, D.C., Portland, Oregon, Billings, Montana, Aberdeen, South Dakota, Muskogee, Oklahoma, and Juneau, Alaska.
9. The Employment Service continues its efforts to recruit Indians for farm work in California and elsewhere, to take the places of the Mexican braceros.
10. The Zunis propose to establish a pueblo museum. They have asked for technical assistance from the Museum of New Mexico.

11. Dissatisfaction is reported in Taos Pueblo over Council orders forbidding seven families to continue using electricity, which they have been getting from the Kit Carson electric co-op. In response to demands from the Pueblo Council, the General Superintendent of United Pueblos Agency served notice on the power company to remove poles and lines. Strong protest made.
12. The Federal Housing Administration has insured a home mortgage on a San Felipe Pueblo home. Roy S. Walker, Director of the FHA office in Albuquerque, said it was the first such commitment and represents an understanding reached between the FHA and the BIA.
13. The long-awaited housing program is getting under way on the Navajo and Mescalero reservations and in some of the pueblos.
14. The Navajo Tribal Courts may soon permit lawyers to practice and represent clients appearing before them. This would establish a precedent since lawyers are not permitted to practice before tribal courts.
15. The Bureau of Indian Affairs has recently published two booklets, "Vacationing with Indians" and "American Indian Calendar." The first is described as "A Guide to Campgrounds and Tourist Attractions on Indian Reservations." It has 72 pages. The second lists Indian ceremonials all over the U. S. A. The first sells for 30¢ and the second for 20¢, both obtainable from the Superintendent of Documents, U. S. Printing Office, Washington, D. C. A map, 26 x 36, is available, showing all the reservations. It also sells for 30¢ and may be ordered from the Superintendent of Documents. It is called "Indian Land Areas."

Items in the Outline will be treated in greater detail in the ensuing pages.

DISCUSSION OF FOREGOING ITEMS

WAR ON POVERTY:

It has been said that there are 115 Federal programs involved with or interested in combating poverty. One hundred billion dollars is being spent every year through Federal, State, public and private sources attacking problems of poverty.

It has been six months since Congress voted the first funds for the new Office of Economic Opportunity, but Director Sargent Shriver's researchers have not yet identified all the existing Federal activities that could be said to fall under the anti-poverty crusade.

The Library of Congress, restricting its count to those offering aid to State or local governments, catalogued 115 such programs or "closely related groups" last year; if "subcategories are included the total swells to 216. For sheer scope, these figures suggest, Mr. Shriver's job is matched by none save the President's and the Defense Secretary's."

The Congressional mandate to coordinate the anti-poverty efforts of all Federal agencies will become more demanding before it becomes more manageable. The Library's count did not include all 17 sizable programs enacted in the last Congress nor the dozens more enacted or pending in this, the 89th, Congress. One policy maker is quoted as saying, "We're starting to run out of new stuff to propose."

"No wonder. Nowadays, a school dropout can get help from the Juvenile Delinquency and Youth Offenses Control Act, the Manpower Development and Training Act, the Vocational Education Act, the Job Corps, the Neighborhood Youth Corps, a variety of welfare programs and, at the option of local citizens' groups or school boards, from Mr. Shriver's community action grants and from the new billion-dollar school aid law." (Quotations from Wall Street Journal of June 9.)

Thus we have what has been called the "overlapping uplift," which helps to explain the dissatisfaction over the poverty program. Congressmen and others have said it is a "mess," and harsh words have been uttered by members of our own Congressional delegation; moreover, tribal leaders have called it even worse names, after they have experienced repeated disappointments. But crash programs are likely to be like that, as men strange to them attempt to find their way through the maze of regulations,

legal angles, policy requirements, and so on. For those who have persisted because of their desire to be of help in this enormous problem, great credit is due. It is easier to complain than to try to bring order out of the confusion.

We have been concerned primarily with the Community Action Programs, and have worked on these for nearly a year, seeing new regulations cancelling out old ones until it is hard to know what the "Indian Desk" in the Washington Office of Economic Opportunity wants.

All tribal proposals have to be checked there, lawyers have to go over them to see that they conform to the law and to regulations, and invariably the proposals are sent back for one reason or another.

We helped tribal committees with proposals where they needed help, and we have stood by, advising and counseling in countless meetings and conferences. First, we were told that physical resources programs--community centers, roads, irrigation systems, farm implements, facilities for training programs--were what the tribes should ask for; so tribal committees worked up proposals requiring a good deal of research on costs, salaries, materials, et cetera, and sent them in. They ranged in cost from less than half a million dollars to more than one million, with the tribes putting up ten per cent of the cost "in cash or in kind," meaning the use of buildings, use of land, services, and so forth, in lieu of money.

The proposals were sent in, after weeks of intense effort, then word was received that no physical resources programs would be approved; instead, there would be only human resources programs, meaning training classes of one kind or another, with no money for facilities and equipment.

We reversed gears and started all over again, and in course of time human resources programs were sent in, the cost being very much less than on the original applications. The tribal committees deserve much credit for their efforts on these, especially considering that this was all completely new and foreign to them, instructions required familiarity with vocabularies outside the experience of most of the committee members, and it was a mind-stretching experience. Nevertheless, they did a very creditable job, and we were very proud of them.

The human resources programs were returned, however, with a notice that it would be necessary to use certain forms--these had not been required before--and that eight copies of each page must be sent in. Since only one set of forms was furnished, it was necessary to have photo copies made. Eventually, this was done, and after several weeks word was received that instead of more than two or three programs being applied for, it would be better to have just one, or two at the most.

This was done, and the program most in need was listed first. Again, costs were trimmed, and six months having passed, it was hoped that there would be no further delay, since the costs of the programs had been cut so drastically to meet the new requirements. Many of them were less than ten per cent of the amount originally requested. For example, a program which had originally cost \$400,000 was reduced to \$40,000, but when the proposal was finally approved, the amount allowed was only \$11,000. One which cost \$1,100,000 when physical resources programs were encouraged, by different stages finally was approved in the sum of \$12,908.00, of which the tribe will pay \$1,350 "in cash or kind."

About two months ago, word came that only about one-third of the funds appropriated had been used, and to "hurry up with the proposals," so the end of the fiscal year would not find the funds uncommitted. The Indians weren't the only ones who were bewildered.

1. Project Head Start. This has proved one of the most popular programs. Preschool children enrolled under Project Head Start are prepared for their first day in school. It is a summer program designed to acquaint the children with some idea of what will be expected of them when the regular school session starts. Not the least of the advantages is that of acquiring a vocabulary. There will be singing, games, clay modeling and a visit to the school they will attend.

The Pojoaque Valley Schools' \$16,640 Project Head Start has enrolled ninety in six classes, and they and their parents appeared pleased with the program. It was reported that by the 10:45 "milk break, their five-year-old spirits were spilling over like some of the milk bottles they couldn't quite manage without straws."

Mescalero Apaches have a Head Start project for 60. Others are being established in Rio Arriba County and at Los Alamos.

Nine Head Start programs have been approved for New Mexico, and they are expected to be of much benefit.

2. Job Corps Camps and Neighborhood Youth Camps. The eleventh Neighborhood Youth Corps project for New Mexico had been approved by Governor Campbell. That was at Dulce on the Jicarilla Apache reservation, where 75 young men and women will be helped to resume school or remain in school. The enrollees will receive \$1.25 an hour for their work and will receive two hours of counseling each week.

There are others, at Las Vegas, Grants, Mountainair, on the Navajo reservation and elsewhere.

The Santa Fe New Mexican gives this "profile" of a Job Corpsman: He is 17 years old, unemployed and looking for work. He has finished the ninth grade and has been out of school 11 months. He has less than a sixth grade reading and arithmetic achievement level. He comes from a family of six, which lives in crowded, substandard housing and his parents are unemployed or hold an unskilled job.

Some 53 youths have left the Job Corps camps at Grants and Mountainair, opened about five weeks ago. Capacity enrollment at Grants is 210; at Mountainair, it is 120. Most who left were homesick, although a few were found "emotionally unsuitable."

The Corpsmen get their camp in shape first, painting, pouring concrete, and so on. Later they will work on roads, timber stand improvement and building a complete camp ground in the Mt. Taylor area. Camp directors, on the whole, have been gratified by the hospitable reception given these boys by the nearby communities.

3. VISTA Volunteers. This is the Domestic Peace Corps, which has suffered neglect more than any of the other projects. They are much in demand, but very few are available. Some 35,000 applications for VISTA Volunteers have been filed, but these won't be processed for at least three to six months, and word has come down from Washington, "Don't apply," meaning not to ask for them.

Arizona State University is conducting a training session this week (June 14-18). After completing training, the Volunteers will go onto the reservations, probably in Arizona, although many of the reservations in New Mexico would like to have them. However, 35 are expected to come into New Mexico by July 31st.

At a science meeting some time ago, one of the panelists stated that it took eight years for a signal to reach a certain star and another eight years for it to be received back on earth. A member of the panel said, "That's almost as long as it takes to get word from Washington."

There is need for patience and understanding in the War on Poverty, for acceptance rather than resignation. That is part of the discipline one must accept. These things move slowly.

4. The Distressed Areas Bill. This will be discussed in the section on Legislation.

5. The Bureau of Indian Affairs' segregated Indian school, planned for Albuquerque at a cost of \$13 million, met strenuous objections from public school administrators and from those who object to segregated school on general principles, whether they are located in Alabama or New Mexico.

The old Albuquerque Indian School needs to be replaced with a modern structure. The objection was not to a new school, but to an Indian segregated school. Albuquerque has had a dormitory where Navajo and a small percentage of Hopi students, who live too far away to commute, are housed. Some are sent by bus to Albuquerque public schools. The public school administrators want all Indian children sent to Public schools.

Commissioner Nash maintained that Bureau personnel are best qualified to work with Indian children who are handicapped and retarded (some start to school much later than public school students and are self-conscious because of their size); but the public school people said that their systems are required to handle children with special problems and refused to accept that as an excuse.

The Pueblos have been clamoring for a vocational training school and had expected that "their" Santa Fe Indian School would be set up for this purpose, but instead the Institute of American Indian Arts was established. They were pleased when Commissioner Nash announced that a vocational school for the Pueblos would be set up in the \$13 million school in Albuquerque, but it was objected that this would mean a segregated school within a segregated school.

The question was settled, at least for the present, by Congress. Congressman Morris (N.M.) had the \$13 million item deleted from the House appropriations measure. That meant it would have to go to conference, because Senator Anderson (N.M.) had an item of nearly \$700,000 inserted in the bill for planning. But that was knocked out also. It is expected that the public school and Bureau education specialists will now get together and arrive at an understanding of what is needed and what arrangements will be made for the Indian students housed in the Indian School dormitory next year. If an agreement is reached, it will doubtless be reflected in the appropriations bill to be presented at the next session of Congress.

6. The Public Works and Area Redevelopment Bill set 1,500 as the minimum population necessary for a community to qualify. Senator Montoya (N.M.) got the figure reduced to 1,000, which will enable five reservations, formerly ineligible, to apply. However, there are still ten pueblo communities with a population of less than 1,000, so they will have to band together if they wish to apply--at least a sufficient number to total 1,000.

7. Community Improvement Association of Cochiti, Jemez and Zia Pueblos has applied to Washington for Neighborhood Youth Corps funds to be used in these communities this summer. No decision as yet.

8. Community Action Programs have been approved for several of the pueblos which have submitted them, although most are still waiting for the funds to be received. Some are still working on proposals. New Mexico is represented on the President's Task Force, set up for Indian Community Action Programs, by James S. Hena, former Governor of Tesuque Pueblo.

After waiting some three months for funds for their program, costing nearly a million dollars, which had been approved, the Navajo Tribal Chairman shot a five-page telegram to Members of Congress in an effort to get funds with which to start. At last report, all that was needed was approval from the Governor of Utah, who said that his approval was on the way, so it should not be long now. Projects must have the approval of Governors of the states in which they are to be located, which meant that the Navajos had to have the O.K. of the Governors of Arizona, New Mexico and Utah.

Isleta Pueblo was granted \$51,238 for a manpower and human resources development program, also a preschool kindergarten. Laguna will have a Youth Corps project for 332 enrollees; cost will be \$162,210, the Federal share of which will be \$138,570.

So goes the War on Poverty, which will have gradually increasing Indian participation despite an editorial quoted in the Congressional Record (May 26, Page A2668), entitled "The Great Society is not for Indians." The editorial was from the Gadsden (Alabama) Times of May 23 and was commented on by Paul Harvey, radio newscaster, who cited conditions on such reservations as the Devil's Lake Sioux, the Shoshone-Bannock, Rocky Boy, and others.

Mr. Harvey, who is not noted for understatement, points out conditions under which many Indians suffer and says, "This stench gets stirred up every few years, but nothing comes of it because the Indian represents only 380,000 votes and many can't, won't, or don't vote anyway. President Johnson has acknowledged that 'our Indian people suffer more from poverty

today than any other group in America'... So, since 'everybody' recognizes the injustice and the need, the conclusion is inescapable: Our much-vaunted compassion for the rights of minorities is nine parts hypocrisy as long as we continue to exclude this minority from our Great Society. Five hundred years is patience enough. Now you know why the Indian says 'Ugh.'"

Nevertheless, the opportunity is there for the Indian people to seize, if they wish to submit to the discipline of seeing it through. And this Commission continues to stand ready to assist in every way it can.

We have genuine respect and high regard for the Indian people, as well as affection for many we have known, and this feeling is shared by those who come to know them well. We think they know, better than anyone else, what they want and what is best for them. Change comes slowly and patterns of tradition and culture persist for as long as they nourish the spiritual roots of those who adhere to them, and with this we have no quarrel. We have never thought we knew, better than another man, how he should manage his life or what he should believe, and we would not trade the satisfactions this relationship has brought us for all the wampum in the world.

LEGISLATION (89th Congress)

1. Senate bills on Constitutional Rights of Indians were introduced by Senator Ervin: S. 961, S. 962, S. 963, S. 964, S. 965, S. 966, S. 967, and S. 968. Also introduced was Senate Joint Resolution 40, which provides for a compilation of Indian laws, treaties, etc.

The New Mexico Pueblos have been displeased and alarmed over most of Senator Ervin's bills, and have written and told him so. The only ones they approve are S. 965, which gives the States concurrent jurisdiction with the United States with respect to the punishment of offenses committed by non-Indians against non-Indians in Indian country, and S. 968, which gives the Secretary of the Interior 90 days in which to either approve or disapprove a lawyer's contract with a tribe. Instead of having to wait a year or more for a decision, which has happened on more than one occasion, the contract becomes effective within 90 days, if the Secretary has not formally disapproved it.

The other bills will be discussed briefly. All have been found objectionable.

S. 961 assures that Indian tribes shall be subject to the same constitutional limitations and restraints that are imposed on Federal, State and local governments by the Constitution of the United States. The reason for this bill is that lawyers are not sure whether constitutional restrictions which apply to Federal and State governments also apply to tribal governments. Cases have been decided which indicate that there are some instances in which constitutional restrictions do not apply to Indian tribes as fully as in Federal and State governments. The Pueblos regard this as a violation of their sovereignty.

S. 962 is designed to protect the Indians' constitutional rights and to authorize the appeal of a criminal action from an Indian court to a U. S. District Court for trial. At present, there is no right of appeal from the decision of a tribal court. Some tribes have an appellate court which reviews the findings in a case, but when its decision is handed down, it is final and conclusive. Under S. 962, the case would be tried anew in the U. S. District Court by a judge and jury. The objection to this is that the tribal court would lose jurisdiction, its penalties would be disregarded, and its force for the preservation of law and order in the Indian community would be lost.

S. 963 authorizes the Attorney General to receive and investigate any written complaint filed with him by an Indian or by any person or agency acting in behalf of any Indian, alleging that the Indian has been deprived of some right which he has under the U. S. Constitution. If the Attorney General investigates and finds that the Indian has been deprived of his rights, he will file a suit to secure such right to such Indian. Again, this takes the matter out of the hands of the tribal courts.

S. 964 authorizes and directs the Secretary of the Interior to recommend to the Congress on or before July 1, 1965 a model code to govern the administration of justice by tribal courts. Many of the pueblos as well as the tribes have their own codes and they do not want another substituted, especially because the new code might not take into consideration the customs and traditions of the tribe. They feel that they have learned from experience what is best for them, and they want to be free to follow their own ways.

S. 966 allows the Federal Government, with the State's consent, to handle cases where offenses are committed by or against an Indian in Indian country. States like New Mexico, which lack jurisdiction over Indian country, would be allowed to amend their constitutions so as to have jurisdiction over the Indian country, and if the tribes consented, the State could then handle civil and criminal cases involving Indians on the reservations. The States would not acquire any rights over tribal land, water rights or hunting or

fishing rights, but only over criminal cases. By allowing for tribal consent, this would serve to amend Public Law 280 (83d Congress) which gives the States jurisdiction, if they care to exercise it, regardless of the wishes of the tribe. Efforts have been made to repeal PL 280 ever since it was passed, and amendments have been offered providing for tribal consent, but these have never been enacted. The tribes are strongly opposed to PL 280.

Under S. 967, Congress would be asked to amend the "Seven Major Crimes Act" so that serious crimes could be prosecuted in Federal courts and the guilty subject to appropriate punishment. Tribal courts have jurisdiction over misdemeanors only; felonies are handled by the FBI and tried in the Federal courts. Felonies would be punishable in accordance with the laws of the State in which the offense was committed. Another crime, aggravated assault, would be added to the list of felonies.

The "Seven Major Crimes Act" was enacted by Congress in 1885 following the U. S. Supreme Court decision in Ex parte Crow Dog, 109 U. S. 556, which held that State courts lacked jurisdiction over offenses committed in Indian country. Other crimes were added to the seven until they included murder, manslaughter, rape, incest, assault with intent to kill, assault with a dangerous weapon, arson, burglary, robbery, embezzlement, and larceny committed by an Indian against another Indian or other person. To these would be added aggravated assault. Reasons for opposing this bill were not spelled out, at least by the Northern Pueblos; they just said they did not like it. Thus, only two of the eight bills were approved.

SJR 40 directs the Secretary of the Interior, for the protection of the constitutional rights of Indians, to have the document entitled "Indian Affairs, Laws and Treaties" revised and extended to include all treaties, laws, executive orders, regulations and other matters pertaining to Indian affairs in force on July 1, 1964, and to have this revised document printed at the Government Printing Office.

There would also be an accurate compilation of all of the official opinions, published and unpublished, of the Solicitor of the Department of the Interior relating to Indian affairs rendered by a Solicitor prior to July 1, 1964, to be printed at the Government Printing Office. These are greatly needed.

2. House Resolution 80 authorizes investigations and studies of Indian affairs, including withdrawal of Federal services to Indians. Withdrawal, or termination, is strongly opposed by tribal leaders, and this resolution has caused considerable concern, although other subjects besides termination are included for investigation.

3. S. 1468 is 49 pages long, so no attempt will be made to really discuss it. This provides grants for public works and development facilities, other financial assistance, and the planning and coordination needed to alleviate conditions of substantial unemployment and underemployment in economically distressed areas and regions.

Title V of the bill establishes Regional Action Planning Commissions. Projects would be on a continuing, rather than a temporary, basis. The Senate, on June 1, approved the measure, which carries an appropriation of \$3.3 billion for a five-year public works and economic development program, aimed at providing jobs and higher incomes in the Nation's distressed areas. The vote was 71 to 12.

The bill combines features of three major pieces of legislation enacted in recent years: a \$400-million area redevelopment or depressed areas (ARA) program passed in 1961, an \$850-million accelerated public works plan passed in 1962, and the \$1 billion Appalachia bill passed earlier this year.

4. S. 96 amends the Indian Long-Term Leasing Act. The term of a grazing lease or a farming lease that does not require the making of a substantial investment in the improvement of the land must not exceed ten years; the term of a farming lease that requires the making of a substantial investment in the improvement of the land shall not exceed 25 years; the term of any other lease must not exceed 55 years, except leases of land on certain reservations (including the Navajo), which may be for a term of not to exceed 99 years.

5. S. 56 authorizes Federal assistance for the construction by public school districts of classroom facilities needed for the education of Indian children who reside outside the boundaries of the district.

6. S. 253 authorizes assumption by the various States of civil or criminal jurisdiction over cases arising on Indian reservations, with the consent of the tribe involved; to permit gradual transfer of such jurisdiction to the States, and for other purposes. This, too, would serve as an amendment to PL 280, mentioned above.

7. S. 1642 authorizes the Secretary of the Interior to "contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands." The Conservancy District serves approximately 11,000 acres of land belonging to Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia, and Isleta Pueblos. The Conservancy assessments would not be reimbursable.

8. House Bill 8335 would terminate the Indian Claims Commission. There has been a good deal of dissatisfaction with the Indian Claims Commission, and this measure would transfer its functions to the Court of Claims on April 10, 1967. The practice of treating these claims as a law suit is tedious, and many think it better to present the facts instead of having a trial. A very great backlog of cases is still to be heard, and it is obvious that at the rate the Indian Claims Commission is going, the life of the Commission will expire before all the claims can be heard.

9. House Bill 7115 would amend the Federal Property and Administrative Services Act of 1949, as amended, to promote the welfare of the Indian tribes by making surplus personal property available to them.

10. State and Local Regulation of the Use of Indian Property (Federal Register, May 8, 1965). Purpose of these regulations is to clarify additions to Federal regulations concerning State and local zoning and other rules as applied to the use of Indian property. (These regulations must be published in the Federal Register.)

The amendments would bring into the existing Federal regulations a positive statement regarding the inapplicability to trust or restricted Indian property of State and local laws, ordinances, codes, resolutions, rules or other regulations aimed at governing the use or development of property. The proposed changes, it is thought, would enable Indian landowners to benefit more fully from proper zoning and would enhance possibilities for orderly development of leased Indian lands. It gives the Secretary the power to substitute his judgment for that of the tribes, since the Federal Government has full power over Indian affairs and property. There is more to it than this, but this will convey the meaning of the amendments. If the Secretary thinks the local regulation and use of Indian property is in the Indians' best interests, he will allow it, whether or not the Indians agree with him.

11. Reapportionment of legislative districts is still in process and it may be some time before this hotly contested issue is settled; therefore, further space will not be given to it except to say that it is likely that reapportionment in New Mexico will give more Indians seats in the Legislature.

12. Dr. Joseph S. Feathers, on the faculty of Western Montana College, in Dillon, has outlined a bill that would give Indian reservations the status of permanent National Indian Reserves. To date, we have not learned whether Dr. Feathers has had his bill introduced into Congress, but we have a copy of the proposed measure in case any one would like to examine it. Obviously, the bill would be intended for use in case of threatened termination of the tribes.

SOME TRENDS AND DEVELOPMENTS

1. Warren Trading Post vs. The State of Arizona. The U. S. Supreme Court ruled that traders on Indian reservations are exempt from the Arizona 2 per cent sales tax, reversing the Arizona Supreme Court.

The opinion of the Supreme Court was unanimous that "Congress has taken the business of Indian trading on reservations so fully in hand that no room remains for state laws imposing additional burdens upon traders."

Further, the opinion said, "Congress has, since the creation of the Navajo reservation nearly a century ago, left the Indians on it largely free to run the reservation and its affairs without state control, a policy which has automatically relieved Arizona of all burdens for carrying on those same responsibilities. And in compliance with its treaty obligations, the federal government has provided for roads, education, and other services needed by the Indians. We should think the assessment and collection of this tax would to a substantial extent frustrate the evident congressional purpose."

Some of the trading posts have paid no sales taxes, some paid without argument, and others paid under protest. Those who paid under protest will be able to get their money back.

2. The Federal Government, through its relocation program, is looking for 1,500 men "willing to move," so that men from long-depressed areas may be moved to places where jobs are available.

3. Long-range planning is underway for recreation at Navajo Lake, near Aztec, New Mexico. The State Park and Recreation Commission is planning a 25-year program with revenue-producing facilities:

a) Expansion of facilities at Pine River recreational site on the west side of Navajo Lake, with lodge, swimming pool, boat service float, boat storage shed, expansion of existing marina, a combined grocery-sporting goods store with snack bar and automobile service station, house-trailer sites, and so on; b) nine-hole golf course, airport, further expansion of the marina and lodge, additional camping and picnic sites, and extension of roads and utilities; c) by 1970, to provide for development of the Sims Mesa recreational site on the east shore of the lake.

4. The recent Mescalero Apache timber sale was the biggest lot ever offered by the Tribe. C. J. Dugan, of California bid \$1,927,400, the highest offer. A sawmill will be located within five miles of Alamogordo at a site agreeable to the Tribe and to the purchaser.

5. Zuni Pueblo has asked that the old pueblo of Hawikuh be designated a National Monument. There is also a proposal to establish a museum. The Museum of New Mexico will furnish technical assistance.

6. The Jicarilla Apaches now have a cocktail lounge with wall-to-wall carpeting, piped-in music, and "a liquor inventory as complete as any in the big cities"; also a modern motel, package liquor store, and a shopping center complex.

7. The Navajo Tribal Council approved unanimously a budget of \$17,789,212.60 for the coming fiscal year. The last budget item to be approved--one which had been previously rejected--was \$111,013 for the office of the Tribal Chairman.

8. The Gallup Area Accounting Office of the Bureau of Indian Affairs, along with six other similar operations, will be consolidated into a central headquarters at Albuquerque after January 1. The six other accounting offices are those of Washington, D.C., Portland, Oregon, Billings, Montana, Aberdeen, South Dakota, Muskogee, Oklahoma, and Juneau, Alaska.

9. The State Employment Service continues its efforts to recruit Indians for farm work in California and elsewhere, to take the places of the Mexican braceros. Many who go stay only a short while, disappointed in the pay and in working conditions.

10. Trouble has been brewing in Taos Pueblo over an attempt to terminate electric services to seven families that have been getting electricity from the Kit Carson electric co-op. The Bureau of Indian Affairs, through General Superintendent Olson, had ordered the poles and lines removed.

The trouble goes back to 1955 when power lines were brought into the Pueblo Day School and hospital, both located on government-owned land within the pueblo. The seven families connected to the Day School lines on poles which are located outside the 20-foot right-of-way granted across tribal lands to the electric co-op to bring the line onto the Day School tract.

The protesting families, who had appealed to the Congressional Delegation and others, appeared with guns and prevented the co-op manager from removing the poles and lines. The display of arms proves how deep and serious is the ferment within the pueblo, which has been increasingly felt since veterans of World War II returned home. Taos is the only pueblo without electricity and without a domestic water system. It does not have a sewer system, either.

The Pueblo Council maintains it is a matter between the BIA, the co-op and the unauthorized consumers. The Council met last Tuesday morning, but it was said not to have discussed the matter.

The fact that the long smoldering discontent has exploded into open revolt proves how serious it is, and it is hoped that an accord can be reached before an irreconcilable rift develops.

11. The Federal Housing Administration has insured a home mortgage on a San Felipe Pueblo home. Roy S. Walker, Director of the FHA office in Albuquerque, said it was the first such commitment and represents an understanding reached between the FHA and the BIA.

12. The long-awaited housing program is getting under way on the Navajo and Mescalero reservations and in some of the pueblos.

13. The Navajo Tribal Courts may soon permit lawyers to practice and represent clients appearing before them. This would establish a precedent, since lawyers have not been permitted to practice before tribal courts.

14. The Bureau of Indian Affairs has recently published two booklets "Vacationing with Indians" and "American Indian Calendar." The first is described as "A Guide to Campgrounds and Tourist Attractions on Indian Reservations." It contains 72 pages. The second lists Indian ceremonials in various parts of the United States. The first sells for 30¢, the second for 20¢, both obtainable from the Superintendent of Documents, U. S. Printing Office, Washington, D. C. A map, 26 x 36, is also available from the same source and sells for 30¢. It shows all the reservations and is entitled "Indian Land Areas."

15. There has been a growing interest among the Pueblos and tribes in the Moral Rearmament movement. Several hundred Indian boys and girls will go to the MRA center at Mackinac Island this summer, led by James S. Hena, of Tesuque Pueblo. Other tribal leaders will attend, an indication of widening Indian interest. Many who are going this year attended one or more of the sessions last year.

16. Domingo Montoya, of Sandia Pueblo, recently elected Chairman of the All-Pueblo Council, has called a meeting of the Council for Saturday, June 19, at Santo Domingo Pueblo. Among topics to be discussed will be education, health, range water and law and order.

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