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Locklear Is a Yankee With an Unusual Past and Future

By MURRAY CHASS

Gene Locklear is (A) the only major league baseball player who is a full-blooded Indian, (B) the only major league baseball player who has done a painting for the White House, (C) the only major league baseball player whose first time at bat for the Yankees resulted in a \$1,000 fine for the team, (D) none of the above, (E) all of the above.

Since Locklear is a full-blooded Lumbee Indian who last winter did a painting for the White House and who this summer was thrown out at first base on a close play that led to a \$1,000 fine. The answer must be (E).

To be sure, Locklear is unusual. He would, however, prefer being less unusual and *not* be the least used Yankee.

"I hit .321 in the majors last year," 27-year-old outfielder said the other day, and "and this year I can't ever get to play. But if I'm not playing, it's better to be on a winner than a loser."

Locklear started the season with the San Diego Padres but was sold to the Yankees'

Syracuse farm club July 10. Then the Yankees purchased him from Syracuse Aug. 3.

When the Padres sold him, he was preparing to do a painting for Dave Winfield, a teammate, who was moving into a new condominium. He already had done a landscape for another teammate, Johnny Grubb. The painting he

donated to the White House through Dr. Ted Marrs, then President Ford's special assistant on Indian affairs, also was a landscape, a scene from North Carolina depicting an old tobacco barn.

"I like to do mostly landscapes," said Locklear, who comes from Pembroke, N. C.

"I like realism, but I also get into abstract realism. I like to stretch the imagination, do landscapes as fantasy, like I might change a green leaf into a blue leaf, do things as you don't see them but as you'd like to

see them sometimes."

Locklear has liked to draw and paint since his early

school days, but the Indian schools he attended in North Carolina never had an art teacher so he learned on his own. Then in his first year in high school he began taking a correspondence course.

One doesn't learn how to play baseball from a correspondence course, so Locklear learned that on his own,

too, however, no one paid much attention to Indians playing baseball so he wasn't noticed by scouts or college coaches until he attended a Cincinnati Reds tryout camp in Hope Mills, N.C., in 1969.

Once he became a professional baseball player, he didn't forsake his art career.

He has continued painting, working when he has time during the season but leaving most of his work for the winter.

"During the season I paint with acrylics because they dry quicker," he said. "I use oils in winter. Oils are better because they don't dry as fast and you can work with them longer."

Locklear did perhaps his most prolific work two winters ago when he turned out 26 paintings of Pete Rose in action plus a collage of baseball stars for Rose's restaurant in Cincinnati. Among his

other baseball works are a painting of Henry Aaron, which he gave to the home run king, and a painting depicting Yogi Berra arguing with an umpire.

His Future Work

"I devote a lot of time in the winter to painting because this is what I want to get into when I get out of baseball," the 5-foot-11-inch, 170-pound Yankee said. "I like to paint things that people ask me for. That way it isn't like going to a gallery and picking out what you

Cont'd.



like. It turns out to be more pleasing, I think, both for me and the person buying the painting. I'm doing something that somebody wants

and they're getting what they want.

"I've developed by own techniques and I have my own way of expressing myself. By looking at my work, people can tell what kind of person I am. I don't want to paint like somebody else just to make money or become known. I want to be myself rather than copy someone else's style. It's harder work, but it's more rewarding."

In the off-season, Locklear works at his studio in Pembroke, where he lives with his mother, among the Lumbee Indians. The Lumbees used to be Cherokees, but the government changed their designation to avoid confusion with the Cherokees who live in the northwestern part

of the state around Asheville. The Lumbees have at least one advantage over the Cherokees: They live on their own property instead of on a reservation.

"Reservation life degrades you," Locklear said. "It limits everything. It's like putting a dog in a cage."

No one has put Locklear in a cage. He has played baseball from New York to Hawaii and his paintings have been on exhibit from New York to Los Angeles and San Diego, where he is a partner in the Warpath Indian Store.

As an acknowledgement of Locklear's achievements, the Governor of North Carolina proclaimed last Jan. 31 Gene Locklear Day in the state. Ap-

proximately 1,000 people attended a dinner in his honor.

"I'm the only professional baseball player and the only professional artist who comes from my community," he said. "At the age of 27, from where I come from, I've accomplished a lot."



The New York Times
Gene Locklear

This mural was painted for the Lumbee Bank of Pembroke, N.C., the first Indian-owned bank in the U.S., by Gene Locklear, the Yankee outfielder who is a Lumbee himself. It represents the ballplayer-artist's view of his tribe's history. Its title is "Yesterday, Today and Tomorrow."



AUG 1 1976



Denver Post Photo

ROBERT W. (RED) FENWICK
Has bottomless well of stories.

PAGE ONE

By **BILL MYERS.**

Denver Post Staff Writer

◇ Every once in a while, nature makes a mistake, and it made a whopper with Red Fenwick. It let him be born in Indiana.

◇ Now, meaning no offense to Indiana, but as even a damfool knows, Red and the West make a perfect match. At least, he could've been born in Iowa or Arkansas, which are a little left of the Mississippi.

But, as with most natural mistakes, things came out all right in the end. Red and the West (led by its heartland, Wyoming) adopted each other. All adoptions should work out so well.

Robert W. Fenwick was a snot-nosed kid of 9 and his hair was red when his folks moved to Wyoming. He's 67 now and some fluke thing has turned his hair white. During the 58 years in between, the Fenwick-West Mutual Admiration Society became an institution, and it's still going strong.

The West, again led by its Wyoming heartland, has made it plain how it feels about Red. The latest of many honors it has showered on him came Friday night when the University of Wyoming awarded him a Doctor of Laws degree, the university's highest honor.

And Red has made it plain how he feels about the West. He's poked good-natured fun at its laughable side, heaped praise on its good side and scolded it on its bad side. Red'll still fight any man who says the good side ain't a hell of a lot bigger than the bad side.

Fenwick: Windy, Warm as Wyoming

Why, he's even defended Wyoming weather. If you don't believe that, get his book, "Red Fenwick's West," and read his article, "My Heart Is In Wyoming."

His business has been stories, and he got into the right business. Stories flock to him like cowhands to the supper table and they stick to him like burrs to a coyote's tail. He's written most of the printable ones and he's still trying to tell all the rest. Either way, the well seems to have no bottom.

For instance, here's one of his favorites that never went through the typewriter:

During one of the many years that Red covered the National Western Stock Show for The Denver Post, he ran into a top-notch horse breeder from Lewiston, Idaho. That was a lot of years ago and Red can't remember his name.

"I got to talking to him," Red said, "and he knew more about horses than any fella I ever met."

As a young man, the breeder hired on as a hand during a cattle roundup on a big Montana ranch. Being the newest hand, he had to observe the tough seniority rules among the cowboys. Among other things, that meant waiting till last to rope his saddle horses.

From the first, he noticed that one gelding in the herd was head-and-shoulders above the others in class — "He had a lot of bottom, a lot of strength" — and the breeder figured he'd be the first horse roped.

He was surprised when all the other cowpokes ignored the horse. There was a big question mark in his brain, but the breeder roped the horse anyhow when his turn came.

Then, after he'd saddled and bridled the critter, he found out what the other cowboys knew.

"The minute you mounted him, he'd come undone," he said. "He bucked like a rodeo saddle bronc, but if

you could stay on him, he got it out of his system and settled down and was a damn good horse."

The trouble was, the horse did it every time he was mounted — once, twice or two dozen times a day.

The breeder put his head to the problem because he didn't want to see a horse with so much potential go to waste. It seemed hopeless.

Then one day he got an idea. Just before he mounted the horse, the breeder — who chewed tobacco — pulled its head over to him with the reins and spit a big gob of tobacco juice in the gelding's left eye.

The horse, of course, blinked violently for quite a while. The breeder slipped into the saddle quickly and the horse walked off without bucking.

Now, why did that work?

"Well," said the breeder, "a horse is a dumb — — — and he can have only one thing on his mind at a time."



1962 AP Photo

RED FENWICK WITH SOME CLOSE FRIENDS

He has made it plain how he feels about the West.

Red Is Like Wyoming: Wild, Windy

"When I spit in his eye, it burned, of course, and he wondered, 'Now, why in the hell did he do that?' and he had that on his mind and he forgot to buck."

SO THAT WAS THE PROCEDURE from then on. Each time he mounted the horse the breeder would spit tobacco juice in its eye first.

Then one day, he decided to mount without spitting, just to see what would happen. The horse walked off without bucking, but he still blinked his left eye violently. From then on, there was no more spitting but always alot of blinking.

The gelding "turned into the best damn horse in the outfit," but the breeder wasn't around long enough to find out if he ever gave up the blinking.

That's just one from the fat portfolio of tall-but-true ones Red's accumulated during his career. Here's a brief rundown on that career, written by Red himself for use during the University of Wyoming award ceremony:

"Contrary to a widely accepted notion, I am not a native of Wyoming. I was born June 10, 1909 in the little railroad suburb of Evansville, Ind., named Howell.

"My father, Robert Lee Fenwick, and my mother, Blanche, lived there only temporarily while my dad took the place of a telegraph operator who was ill or on leave. Shortly after my birth, we returned to the family's native Kentucky, where I spent my early childhood.

"WE CAME TO WYOMING when I was 9, lived briefly at Wendover, Casper and Lockett (a telegraph station on the Burlington southeast of Casper), then moved to Douglas, where I attended the public schools.

"My mother died when I was 11, and I guess I became unmanageable, so I spent one year in St. Clara's Orphanage in Denver. I ran away from home at 13 to go to Cheyenne Frontier Days. I returned a wiser and hungrier boy.

"I had always wanted to attend the University of Wyoming, but it was not within the means of a railroad telegraph operator. Besides, I wasn't the smartest kid in school. I flunked miserably in algebra and geometry, but I glittered in English, composition, rhetoric, debate, and got passable grades in history and geography — yes, and political science.

"I knew what I wanted to be — a newspaperman. So Miss Price, head of our Carnegie Library, obtained university books on necessary subjects for me to read and outline for her scrutiny. I owe her a great deal.

"I WORKED ON RANCHES in the Douglas area, became a lineman for the Mountain States Power Co. (now Pacific Power and Light), Postal Telegraph out of Cheyenne and the Mountain State Telephone Co. throughout Wyoming.

"I worked as a Civilian Conservation Corps camp su-

cont'd



RED FENWICK IS PRESENTED WAR BONNET BY SOUTHERN UTE JULIUS CLOUD
Eddie Box, another Southern Ute, looked on as Fenwick was adopted into the tribe.

Fenwick Still Riding High

F Continued from page 4.

perintendent in Yellowstone National Park three years, then worked briefly for the Greybull Standard, a weekly newspaper at Greybull.

"From there, I went to Casper and in a short time became city editor of the Casper Times, a morning daily. I became interested in politics, served as press secretary to the late Sen. Harry H. Schwartz and, after his defeat, went to work for the old Casper Tribune-Herald, now the Casper Star-Tribune.

"I had become disillusioned with politics, finally accepted an offer in 1942 to work as a general assignment reporter for The Denver Post. I've been here ever since.

"At one time, I was Rocky Mountain Empire editor, roving editor of The Denver Post covering 13 Western states for five years, then went back to general assignment. I never aspired to be an editor in the first place."

An all-around newspaperman he sure as hell is. Although Red undoubtedly is The Post's most widely known and best-like staffer, he never was too proud to write obituaries or any of the other routine stories that are a newspaper's bread and butter — and that was every day, up to and including the last day he worked full-time for The Post.

HE RETIRED LAST OCT. 1, but as any loyal Ridin' the Range fan knows, he still writes the Sunday column, plus doing special assignments for The Post.

All of Red's awards, official and unofficial, have a good story behind them, but not all are funny, by a long shot.

Take the Denver Press Club's news-writing award of 1947, for instance. That's the first one Red ever won and he's especially proud of it — not just for the honor but for the good he was able to do for some of his best friends, the Navajo Indians.

During his roving-assignment days with The Post, he was crossing part of the Navajo reservation in New Mexico by bus. He struck up a conversation with a young Navajo who sat down beside him and the Indian informed him his people were starving.

There were several reasons, chief among them being a drought, overgrazing by sheep and failure of the Navajos' vital gardens.

So Red hurried back to Denver, got his car and "went out to the reservation to see these things for myself." He spent 30 days on the job and found out that no part of the Indian's story was exaggerated.

He took along a Navajo interpreter and learned that although telephones on the reservation were limited to headquarters and trading posts, Indians in the remotest areas knew of his mission. It was, Red says, an example of the "moccasin telegraph," the Navajo system of sending out runners to spread news.

In the remotest areas, the interpreter would talk to the shy Navajos first, then report, "They call you Red. Yes, they will talk to you. You can take their picture. They knew you were coming."

THE PERMISSION FOR PICTURES was a special liberty. In those days, at least, back-country Navajos didn't permit pictures because they thought the photographer, in getting their image, also took away their soul or spirit.

Red was "shocked and sick" when he left the reservation.

"I saw Navajo mothers, their breasts dried up from starvation, sitting on the ground on sheep pelts, chewing up corn and spitting it in the mouths of their babies," he recalls.

So Red wrote a series of stories and within a week after it appeared in The Post, "all the big newspapers from California, others from the East and national magazines had people on the reservation."

"There were so many," Red says, "they tramped down what little grass there was."

Within 30 days, a congressional investigating committee was there, too, and the upshot of it all was an \$87 million appropriation to finance a rehabilitation program for the Navajos.

Red went to bat for the Navajos again in December 1967 when tremendous snows and subzero temperatures stranded many Indians in their hogans and their livestock in the back country.

HE ORGANIZED AN EFFORT that led to donation of supplies, snowmobiles from the Denver area to take them to remote parts of the reservation and a Wyoming Air National Guard plane to haul the snowmobiles to the reservation.

Among Red's prized possessions is a full-featured, real-McCoy, Southern-Ute Indian headdress. That came from another series he wrote.

"After the Navajo series," he said, "the Southern Utes sent for me to come down. They had a problem."

The trouble was over some land-claim money paid to the tribe. "The Bureau of Indian Affairs somehow got part of it and proposed to use it for roads and other public improvements on the reservation. The Indians wanted to spend it for such things as their houses and furniture."

So Red went to Ignacio, Colo., tribal headquarters, and attended a tribal council meeting. The Indians accepted his offer to write a resolution to the Bureau of Indian Affairs rejecting the bureau's proposal and asking that the money be given to tribal members. Copies of the resolution also went to every member of the Colorado congressional delegation.

"A lot of letters and stories later," the Indians finally got the money "and they spent it wisely," Red said.

NOT LONG AFTERWARD, during a national convention of Indians in Denver, the grateful Southern Utes called Red in, gave him the headdress and adopted him into the tribe under a name which Red guesses would be spelled "Saquinatz," meaning White Eagle.

His work for Indians also has won him a special citation—maybe the only ever given to a white man—from the National Congress of American Indians and blood-brotherhood with the Sioux, Arapahoe and Shoshone.

One of the greatest honors conferred upon him by Indians, though, carried no award with it.

He was on the Northern Cheyenne Reservation in Montana in 1959 gathering material for a series on the plight of Indians in that state and the Dakotas. Red was touring the reservation with three tribal leaders whose names he still remembers—Rufus Wallowing, Melvin

Wounded Eye and Johnny Wooden Legs, grandson of a great Cheyenne war chief.

Eventually, they took him to a remote area and introduced him to Henry Little Coyote, the tribe's No. 1 medicine man. The medicine man led the group to a well-concealed tepee that turned out to be the Shrine of the Sacred Hat, "their most sacred shrine."

"Each Indian threw his hat on a peg pounded in the ground outside," Red said. "The tepee had a dirt floor, a cot and a rug. At the end was an upright thing that resembled a cross. There was cloth over it, so I couldn't see what it was, but I learned later it was a buffalo skull that probably was worn as a hat during sacred ceremonies."

"**WE SAT ON THE RUG** cross-legged and with our arms crossed, and the medicine man sat on the cot and prayed over each man. He held his hand over each man's head as he prayed.

"Everything got fuzzy for me. I was an extra-strange sensation. I had the feeling of being in the presence of something sacred, something powerful.

"It made me feel like tearing my shirt and undershirt off and sitting proud. I wanted to be an Indian."

These powerful emotions came, Red said, despite the fact that the Cheyenne language was being spoken and he couldn't understand a word.

Red found out later that he probably was only the sixth white man to be admitted to the shrine in the history of the Cheyenne.

The series of articles he wrote on the needs of the Montana-Dakotas Indians was read into the Congressional Record at the order of Sen. Mike Mansfield, D-Mont.

IMAGINE ALL THE STORIES behind these honors:

—The Pall Mall Award for a series Red wrote that led to a pardon for Loren Hamby, a Colorado Springs man who served seven years of a life sentence in the Colorado State Penitentiary for a murder he didn't commit.

—An honorary life membership in the Professional Rodeo Cowboys Association for his years of reporting on and promoting rodeo.

—Special recognition from the International Rodeo Writers Association for the same reason. Red ramrodded the founding of the organization and was its first president.

—A charter membership in the Cowboy Hall of Fame and Museum in Oklahoma City.

—The Outstanding Citizen's Award from the Wyoming National Guard, in which Red served two years as a cavalry trooper during the mid-1920s.

—A "Pony Express Riders Certificate" showing that Red rode a part of the route in Wyoming during a recreation of the great mail service in its centennial year, 1960.

—Appointment as "Colonel, Aide-de-Camp on the staff of the governor of New Mexico."

—Honorary mayor of Douglas, Wyo. ("my old home town") during its diamond jubilee in 1962.

—The Father of the Year Award from the Bunnies of the Denver Playboy Club. Red can't explain that one because, he says, other men can claim to be lovable to women and can beat his score of siring two sons and three daughters.

NO AWARD CAME FROM IT, but Red exposed a national scandal while he was a World War II correspondent for The Post.

He was traveling in Alaska during construction of the Alcan Highway when he noticed "acres and acres of urinals" stacked out in the open.

He knew there were a lot of troops and workers in Alaska during the war and they'd need quite a few urinals, "but sure as hell not as many as there was piled up."

In another area, he saw "acres and acres" of valves for pipelines that were to tap a Canadian oil refinery. He got to inquiring around about that and found out the valves "all were the wrong size."

He found out, too, that the urinal supply was a little in excess of the need.

So he wrote some stories about the mess. All hell broke loose nationally at the fraud, and the situation was put to right.

That's just a sample from his gallery of honors and stories. A book the size of "Gone With the Wind" might do it justice, but no one could tell the stories behind it all like Red.

Cont'd

His flock of fans proves what kind of a job he does with the typewriter, but better yet is Red in person, when he's not limited by the rules of a family newspaper. If you run into him sometime in a cool, dim place and if his talker has been oiled a little, he might spin you the uncensored version of this one:

A YOUNG COWBOY WITH AMBITION came to the decision there wasn't much future in the business "unless a fella had his own ranch." So he saved his money and bought some land and a few cattle to start a herd.

He had to have a brand, of course, and he didn't have any trouble figuring out a design. "It was a damn good one, too," says Red, who can draw it for you on a bar napkin. "It was hard for a rustler to alter."

But the brand had to have a name, too, and there the cowboy was stumped. It didn't look like anything that brought a name to mind.

Finally, one day in a bar, he was sitting next to an old cowpoke who had seen about everything, and he figured that if anyone could put a name to it, this fella could.

So he drew the brand on a napkin, handed it to the old cowpoke and asked if it looked like anything to him that suggested a name.

The old hand studied it for some time and finally answered, "Damn 'f I know."

And in that second, the young cowboy knew he had a name for his brand — "The Damfino."

"It's a registered brand today," swears Red.

Fenwick Outwritten By His Many Fans

Robert W. (Red) Fenwick sends out a blanket apology to most of those who have written to him "from all over the country."

He says it's impossible for him to answer all the letters, let alone do all the things that people ask him to do.

Red points out that he's living a bachelor's life in retirement, which means he has to do his own cooking, dish-washing, cleaning, grocery-shopping and laundry. Besides that, there are personal affairs to attend to, his weekly Ridin' the Range for The Denver Post and special assignments—and he doesn't have a secretary.

All this, he says, leaves little time for correspondence. But he appreciates the letters. He just hopes you understand why he can't answer most.

BILLINGS GAZETTE
BILLINGS, MONTANA

Date _____

Group opposing Indian policy expands

GREAT FALLS (AP) — Montanans Opposing Discrimination, a group opposed to present Indian policy, took steps this weekend in Great Falls to expand statewide by establishing several chapters.

The group's stated goal is to find solutions to problems it believes are caused by current Indian policy by federal courts and federal agencies. Specifically the group is opposed to tribal councils assuming legal control over non-Indians living

on Indian land.

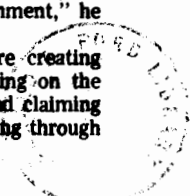
Lloyd Ingraham, of Ronan, counsel for the group, said the federal government's Indian policy has created chaos, abrasion and confusion for Indian and non-Indian alike.

He gave the Flathead Reservation as an example, saying the Flathead tribal council had assumed jurisdiction over nontribal members.

"Consider what this means when

there are more non-members living on the reservations than members, when tribal members can vote and hold office in state government, but non-members do not have that right in tribal government," he said.

He said tribal councils are creating problems for nonmembers living on the reservations by taxing them and claiming water rights on all water flowing through reservations.



U.S. livestock sold for 75% of value

By TOM KUHN

WHITE CONE — A contractor working for the Bureau of Indian Affairs has in four months auctioned \$1.1 million worth of U.S. government livestock to his own business partner and other associates at 75 per cent of market value, The Arizona Republic has learned.

Despite the high value of the livestock, neither the BIA nor the contractor bothered to advertise publicly the auction at the government pens here to insure competitive bidding.

W. D. Baker of Joseph City, the contractor, acknowledged the sales made to his partner and others with whom he has had past business dealings, but denied they received favoritism.

A BIA official in Albuquerque said the manner in which Baker conducted the auction at White Cone will be investigated by the solicitor general for alleged conflict of interest.

The government's losses from selling livestock at less than the market price are reflected in BIA records kept at Flagstaff. They show livestock bought by the government for \$1,178,000 was sold for \$905,000 over a period beginning last April 7.

"If Baker has a conflict of interest, we will of course bring that to a screeching halt," said BIA contracting officer Larry R. Ware.

Baker acts as both purchasing agent and auctioneer for the BIA in its program to reduce Navajo livestock in the Joint Use Area around the Hopi Reservation in northeastern Arizona. He first buys the Indian livestock for the government, then sells them at auction. Usually the same buyers show up each day, sources in the area said.

The BIA buys livestock from the Navajos for prices quoted in the Denver market for sheep, goats, cattle and horses. The government then auctions what it has bought at the end of each day for whatever Baker can get.

BIA officials in Flagstaff, in charge of the joint-use area livestock reduction, were asked two months ago by a BIA employe to examine Baker's business connections. It was learned they made an inquiry and dropped the matter, but not before discovering at least one of Baker's apparent business conflicts.

Eugene A. Snyder, a BIA soil scientist in charge of the government pen at White Cone, said he asked for the inquiry and was told by his superiors that "everything is clean."

Snyder reported that Victor Williams, Baker's partner in a livestock dealership at Joseph City, is the largest buyer of government livestock auctioned by Baker.

Williams is listed as a buyer for the Rita Blanca Cattle Co. of Dalhart, Tex., but Baker said the livestock he sells to Williams are trucked to the Baker & Williams Livestock Dealers pens in Joseph City to await marketing.

"What could be wrong with (Baker & Williams Livestock) leasing Rita Blanca a pen to put their cattle in?" Baker asked. He said he didn't know whether he or Williams held a majority interest in the Joseph City partnership.

Baker said he and Williams also are partners in a leased ranch near St. Johns where they hold cattle on the summer pasture for fall market.

Other major buyers at the government pens at White Cone, according to Snyder, are Doyle Hatch of Hatch Livestock at nearby Holbrook, and his father, Vern Hatch, of Taylor; and J. Vernon Young of Cortez, Colo.

Eighteen buyers come to White Cone for the auctions, but most of all but the major buyers make infrequent appearances, Snyder said.

Baker said he has had private business dealings with every one of the buyers to whom he auctions livestock at White Cone.

"Everybody who trades here, I've traded with all of them," he said.

Baker receives \$79 a day under his contract with the BIA to buy Navajo livestock for the government. He also receives a 4 per cent commission on everything taken in by auction. He has received more than \$43,000 in salary and commissions during the past 4½ months, according to BIA records.

BIA officials said Baker's contract, up on Sept. 15, is renewable.

"I hired out to do a job and I've been doing my job," Baker insisted. "I set them in (start the price) where I think there's a margin of profit left, and what the buyers do is strictly up to them," he said.

Baker is empowered under his contract to pick the opening auction price and to close bidding when he thinks the highest price has been reached.

Baker said the auction was advertised "by word of mouth and telephone, and one thing and another."

The BIA has made no attempt to advertise the auction, said Lynn R. Montgomery, BIA joint-use area assistant project director at Flagstaff.

Montgomery said he looked into Baker's business connections but found nothing there that caused him alarm. Montgomery indicated he learned during his inquiry of Baker's partnership with Williams in the St. John's ranch operation.

The BIA district office in Albuquerque, however, has ordered "an in depth investigation" into the White Cone auction. The investigation is prompted by the newspaper discoveries, officials said.

Michael Perry, a BIA contract investigator sent to White Cone Monday to interview Baker about his business connections, said Baker did not disclose at that time his partnership with Williams in the livestock dealership.

Arizona Republic

August 18, 1976

Navajos Advised

To Tax Miners

DNA Chief Would Stall Leasing Navajo...

By JERRY KAMMER

WINDOW ROCK, Ariz. (Dine Bureau) — The director of a legal service agency on the Navajo Reservation has called for a moratorium on leases for the development of Navajo mineral resources until the tribe develops a structure to tax businesses operating on the reservation.

In a letter to tribal councilman John Brown, DNA director Peterson Zah noted that under mineral leases negotiated by the tribe, "the Navajo Nation receives royalties in place of taxes."

"However, Zah stated, "the total amount of royalties thds tribe receives from the companies is many times less than what the company pays in taxes to there governments, county, state, and federal."

The letter to Brown comes as the tribal council convenes for its summer session. The first item on the council agenda is renegotiation of a contract with the El Paso Natural Gas Co. to mine coal on about 40,000 acres of Navajo land near Burnham, N.M.

Contacted Monday afternoon, Zah said Borwn had asked he opinion on the lack of a tribal tax structure. Zah said permit DNA employes to offer a legal opinion when requested to do so by a member of a legislative body.

No Lease Before Taxation

Because most of not all" leases between the tribe and companies doing business on the reservation have a tax

waiver clause, the tribe is forced to use royalties to provide necessary services. Zah asserted in the letter.

"I believe that no new resource leases should be made until such time as the Navajo Nation has raised all possible revenue from taxation," Zah stated. "It simply does not make good sense to sell our resources to get money when we allow millions of tax dollars to leave the Navajo Nation every year."

Zah claimed that the state of New Mexico receives about \$7.2 million in taxes each year from the Four Corners plant near Shiprock N.M. while the tribe receives about \$1.4 million in royalty payments on the coal from the Navajo Mine, which powers the Four Corners plant.

The DNA director also claimed that the Navajo Generating Station in Page, will pay about \$16.3 million in taxes this year, while the tribe will receive only \$1.4 million in coal royalties.

The states receive the taxes under laws which allow states to tax non-Indian-owned business operating on Indian reservations.

Past Time for Taxing

Zah said that non of the several hundred non-Indian-owned businesses on the Navajo Reservation pays taxes to the tribe, "yet they benefit from the programs and services provided by the tribal government."

"It is way past the time when tax dollars should come to Window Rock instead of Santa Fe and Phoenix," he said, adding that the law gives the Navajo Nation "nearly total powers of taxation"

Noting that the Zuni and Hopi Tribes have developed tax structures, Zah stated, "the longer we sit and let the state governments steal our power, the harder it will be to collect taxes in the

(Turn to Page 6 Navajo)

(Continued From Page 1)

future. With a good taxation program, the Navajo Nation should be able to raise more than enough money to operate ths Tribal government."

The DNA director said a tribal tax structure would allow the tribe to use royalties for its own capital developments, would lessen Navajo dependency on federal programs, and would reverse the flow of tax dollars "that really belong to the Navajo government."

Zah said he recongnized that assertion by the tribe of a right to tax businesses on the reservation wouldlead to a show down with the businesses who currently pay taxes to the state. He predicted that businesses facing taxation from both the tribe and the state would initiate court action against such double taxation.

Dislikes 'Panic' Dealing

Zah said that he was distressed that the El Paso contract is being negotiated at a time when "there is a feeling of panic about the need for money to keep the tribe going."

Zah noted recent disclosures that the tribe's general fund is rapidly shrinking and said "The tribe is being forced to sell the last resources we have."

"We can't continue to operate with this sense of emergency," he said. "One day our resources will be gone, and we will be left with no source of income. For this reason we must develop a tax structure to ensure our own survival."

The tribe should also consider taxing the income of non-Navajos who live and work on the reservation and who currently pay state income taxes, Zah said. He said he recongnized that such a taxation of persons who cannot vote in tribal election would be "a sticky question." But he stated he was confident that federal courts would uphold such a tax program.

GALLUP INDEPENDENT

AUG 17 1976

Task force to study Navajo land sale

FLAGSTAFF — Several federal agencies have established a special task force to study the social and environmental impact of the Bureau of Land Management's agreement to sell 250,000 acres of land in the House Rock Valley-Paria Plateau area to the Navajo Tribe.

The task force, said a Bureau of Indian Affairs official, must prepare an environmental impact statement, which is expected by mid-1977.

The BIA will be in charge of task force operations, according to William Benjamin, project director for the Joint-Use Administration Office in Flagstaff. Other agencies involved in the task force are the BLM, the U.S. Geological Survey, the National Park Service, the Public Health Service and the Fish and Wildlife Service.

The tribe applied last year with the BLM to purchase

the land. It would be used to relocate Navajo families who must move as the result of a federal court settlement in the Navajo-Hopi land dispute.

Federal Court Judge James Walsh of Tucson is expected to rule soon on a proposed partition line which would turn over half of the 1.8 million acres to the Hopi Tribe.

Once the partition line is drawn, Navajo tribal officials expect between 3,500 and 5,000 Navajos to be homeless. The 1974 law passed by Congress to settle the dispute included a provision which allows the Navajo Tribe to use up to 250,000 acres of federal land for relocation purposes.

The decision of whether to approve the tribe's request will be made by the secretary of the Interior Department when an environmental statement is prepared.

Navajos OK aid contract

WINDOW ROCK — The Navajo Tribe and the Bureau of Indian Affairs Tuesday signed a three-year contract allowing the tribe's education division to oversee the distribution of Johnson O'Malley funds to public schools on the reservation.

This is the first time that the tribe has had supervision of the funds on the reservation. In past years the BIA has been responsible.

Dillon Platero, director of the tribal education division, said he was delighted with the contract since "it involves the tribe more deeply in the day - to - day workings of the public schools."

The tribe has been trying to take over supervision of the program for several years.

Platero said his office has started negotiating with public school dis-

tricts in the Arizona, New Mexico and Utah portions of the reservation about subcontracting the John-

son O'Malley funds, which go to public schools for special programs for Indian students.

The contract for this year, he said, is for \$7 million. He said the amount for the next two years, he said, is for \$7 million. They have to wait until Congress decides on a total for the program nationwide.

AUG 18 1978

Arizona Republic

Reservation Tax Argued

By JIM LARGO
Of the Journal Staff

FARMINGTON — Federal and Indian lawyers said Wednesday that the state property tax law (HB-19) on non-Indian lease improvements on Indian reservations is "not applicable" and "unconstitutional."

"The federal government has absolute powers to legislate over Indian affairs, and state laws generally are not applicable to tribal lands," said Dept. of Interior attorney Sharon Blackwell.

"I will argue vigorously that the state action is unconstitutional since it places an indirect and direct burden upon the owner of the land," said Ben Hanley, a Navajo lawyer.

But after Indian tribes became aware of the bill last year, the State Legislature then supported a bill that would ultimately end up in the courts, Jasper said. A bill was drafted "that clearly raised an issue to be decided by the courts," he said.

The bill that finally passed was "a compromise bill" and does not clearly

Continued on A-2

Federal, Indian Lawyers Criticize Tax Law by State

Continued from A-1

address the issue of state tax powers over non-Indian improvements on Indian lands, he said.

"It is intentionally not clear on the question of taxation of improvements. It is intended to be neutral. All the bill does is exempt fractional interests from taxation and leave the question of improvements to be decided under existing law.

"The existing law, however, is not clear whether these improvements are or are not subject to taxation."

John Cook of the State Property Tax Dept. said copies of the law were sent to local tax collecting agencies, telling them to enforce the law. So far the request for an interpretation of the law has yet to be made, he said.

Mrs. Blackwell and Hanley spoke on a panel presentation that discussed the bill. The bill was passed five months ago in the last legislature.

Sponsored by the New Mexico Humanities Council and Navajo Community College, the panel was presented at San Juan College. The first session was held Wednesday and a second session was planned late Wednesday in Shiprock.

Author of the original HB-19, John Jasper, a lawyer, said the bill as passed by the legislature is confusing and does not impose the tax on anything. "It is only an exemption bill," he said.

Jasper explained that the motivation behind the bill was "future anticipated revenue," from tax-paying companies moving on the Navajo Reservation where they would not be paying state taxes.

"One of the concerns was the future development taking place on the Navajo Reservation. The natural resource development was going on.

"The state said let's not cut out any anticipated future revenue because there will be services provided."

A man holding a lease from Cochiti Pueblo told the panel he was recently notified by Sandoval County to pay taxes on a house he built at Cochiti Lake.

The state has notified the Dept. of Housing and Urban Development (HUD) in Albuquerque to pay taxes on houses built with government funds at a development in Shiprock, said Luther Branham, director.

Branham said if HUD paid the tax, it will have to raise rents from tenants. HUD has 60 days to pay the tax, Branham said.

AUG 19 1976

Albuquerque Journal

MAIL (UPI) -- PRESIDENT FORD TODAY DESIGNATED BRADLEY PATTERSON, A WHITE HOUSE AIDE TO ASSIST HIM IN THE AREA OF AMERICAN INDIAN AFFAIRS. IN A MEMO TO CABINET OFFICIALS, FORD SAID THAT PATTERSON'S SPECIFIC RESPONSIBILITIES WOULD BE "TO IMPROVE THE COORDINATION AMONG THE FEDERAL AGENCIES WITH PROGRAMS THAT SERVE THE INDIAN PEOPLE".
UPI 03-25 03:04 PED

Tax Rates Set In Apache County

GALLUP INDEPENDENT

AUG 17 1976

ST. JOHNS (Staff) - Apache County school district taxes were set Monday at considerably different levels for different districts, with Navajo Reservation rates much lower this year than last.

In addition, county-wide property valuation was higher in general this year, although two of the three reservation districts received lower valuations. The county total increased by about \$2.9 million.

The tax rates were approved Monday by the County board of Supervisors.

The biggest rate change occurred in the Chinle School district. Chinle, which began last year with a school tax of \$45.39 per \$100 assessed valuation, was given a \$6.96 rate this year, 1977.

Chinle's original 1976 fiscal year tax was opposed in Federal Court by the district's largest taxpayers. The rate was termed "confiscatory" by the court and an agreement was then reached between the taxpayers and the district for an \$8 per \$100 assessed valuation tax.

Chinle School taxes were lower this

year, Avard B. Hall, county school superintendent, said, because of improved budgeting procedures.

IN addition, the financial problems incurred by the school district last year and the federal court decision revealed to federal and state funding sources "that the problems of the county and the Chinle school district were real," he said.

Publicity resulting from the court battle started forces rolling to provide additional revenue for the district. Hall explained.

In addition the school district rates, county taxpayers will be billed \$6.34 per \$100 assessed valuation for county and statewide taxes.

Window Rock district property owners will be billed \$6.96 per \$100 assessed valuation for school taxes this year. Last year's rate was almost \$11 more than this year's. The 1976 figure was \$17.43 per \$100 assessed valuation.

The Ganado district's 1977 fiscal year figure was set at \$4.33 -- about \$14 less than last year's \$18.44 rate.

Off-reservation district taxes ranged from an increase of more than \$2 for the Concho district to a reduction of about \$3 in the St. Johns district.

Chinle, which last year had the largest total property valuation, placed second in the total this year. The Round Valley Consolidated district placed first with a valuation of \$8.6 million this year -- an increase of \$1.8 million.

Chinle lost about \$600,000 this valuation -- dropping to \$7.5 million from last year's \$8.1 million. The Ganado district lost \$700,000 in property value. It's 1977 fiscal year property total is \$7.3 million.

Of the three reservation districts, Window Rock was the only one to have its property value increase. Window rock property value rose about \$251,000 this year. Last year's total valuation was \$7.14 million.

Property valuation changes were made by the state and county assessors.

In other action, the board directed county attorney J. Kendall Hansen to investigate the possibility of establishing an Inter-Governmental Agency Emergency Services agreement.

The agreement, between county government and the city, would be for control of disasters such as fires, floods and other natural catastrophes, Hansen said.

He said a formal agreement is necessary to protect the county from liabilities incurred during emergency assistance.

"Suppose some of your equipment goes (to an emergency) and gets burned up or somebody gets hurt," he said.

County Manager Buzz Haws said it should be a reciprocal effort agreement. However, the agreement probably would not affect the Navajo reservation, Haws said.

Emergency service personnel "probably would not go onto the reservation unless there is an agreement with the tribe," Haws said.

He explained that former unofficial emergency agreements used to include the reservation but the Navajo Tribe now cooperates with Arizona during emergencies. Before the agreement becomes official, it must be approached by the Arizona attorney general, Hansen said.

Letter to the Editor

Past Effort Credited; Chinle Not Home Yet

Editor:

I'm writing this letter for two reasons: first, to set the record straight in terms of an article which appeared while I was on vacation dealing with "Chinle Schools to Start Year in Financial Black"; second, to urge continued maximum effort be directed at achieving a good educational opportunities for all reservation public schools students.

The additional funds to be received by the Chinle Public School District during the past two years.

The District will receive additional P.L.874 money; this is the direct result of efforts taken during the past two years, including legal work done by the Native American Rights Fund. The extra state transportation aid is again the direct result of efforts taken last year and particularly the result of work done by Burton Barr, majority leader of the Arizona House of Representatives. The write-off of the early payment JOM Money received last spring is the result of discussion held at that time with the then BIA acting area director at Window Rock, Curtis Geogamah.

These efforts taken during the past two years culminated in the additional monies being available for the Chinle Public School District now. The implication that these funds are the results of efforts taken since June 30 are not only naive but false.

The final and certainly the most important point I want to make, is that the Navajo people including the Chinle Public School District must not think the financial problems of reservation public schools are solved, far from it! At Chinle under the adopted budget students are receiving a minimum education administered by the desire to keep the tax vote down. In no way are these students receiving equal educational opportunities in equal educational facilities as are off-reservation students.

Now that Chinle is in the book and relax instead of pursuing with diligence and vigor the achieving of equal educational opportunities for all reservation public school students.

The basic issue of whose responsibility is such education remains unanswered. In the state of Federal Government still pointing to each other adequate funds needed needed to provide equal educational opportunities in equal physical facilities remains a dream. If that dream is to become reality it will take the continued effort on every-one's part to see that the students are given a fine and equal chance.

Bob Rosessell
Round Rock, Arizona

EDITOR'S NOTE: Mr. Rosessell is former superintendent of the Chinle Public School District.

NACE Changes Accountants

WINDOW ROCK, Ariz. (Dine Bureau)

The special four member committee that has been supervising operations of the Navajo Arts and Crafts Enterprise (NACE) since April has decided not to renew the contract with the Albuquerque accounting firm of Peter Marwick and Mitchell, committee member Roger Davis has announced.

Davis, who also heads the tribes Resources Division, said the committee felt that Pete Marwick, and Mitchell provided inadequate personal direction of the accounting system it established for NACE. The committee decided to retain the Phoenix firm of Arthur Anderson Co., Davis said.

Davis also reported that the Allentown NACE store will be reopened "hopefully within the next two weeks." The Allentown facility was one of six NACE outlets closed by the committee last month because of an inadequate system to control inventory.

The stores at Cameron, Chinle, Kayenta, Monument Valley, and Navajo National Monument will remain closed indefinitely, Davis said.

Davis said NACE financial officer Rick Kearney has resigned his post to join an accounting firm in Phoenix. Three candidates for the financial officer position are under consideration by the committee, he said.

Navajo Jail 'Misrun'

By DAVID SCHNEIDER

WIDNOW ROCK, Ariz., (Dine Buereau) - The Navajo Nation's correctional system is mismanaged and some correctional officers are found to be uninterested and negligent in their duties, according to a study by the International Association of Chiefs of Police (IACP).

"One of the first observations was that jailers ...could not tell at once how many prisoners were in their custody at any given time or who they were," the study reported.

IACP also found lack of exercise; only one of the division jails had many supervision for outdoor exercise.

The lack of standards in the distribution of bedding was also noted.

"In at least one jail no mattresses were in evidence and the officer on duty stated that prisoners had destroyed them so that there were only enough for the trustees." The report stated however, that in "other jails the mattresses appeared to be in relatively good shap."

The report said that "little or no literature was available on a regular basis for inmates. When inquiry was made it was suggested that many inmates could not read and that those who did were not so inclined to read."

Wants New Division

To remedy this situation the I.A.C.P. calls for the creation of a division of rehabilitation to take charge of the custody and care of inmates before trial and with the rehabilitation of convicts afterwards.

The association stated the major advantage of such a division would be the seperation of police functions from custodial duties. The way is is now the police cannot with their investigative functions be concerned with the management of jails and the rehabilitation of persons convicted of crimes.

The five-year plan for the creation of this division and providing a budget, of 2.5 million over the next five years.

The recruitment, training, and appointment of one senior custodial officer for each district with a probationary period of one year until competence had been demonstrated.

The recruitment and training of 24 staff custodial officers with one year's probation.

The appointment of qualified personnel for rehabilitation research, alcoholic rehabilitation, work release and agrarian work release programs.

The establishment of alcoholic detoxification centers in conjunction with the jails.

The selection and appointment of a reasearch psychologist.

The report also found that the tribe has failed to provide adequate facilities for both non-delinquent and delinquent youth.

It reocmmended the creation of a juvenile rehabilitation section within the rehabilitation division.

Its functions would be similar to that of the division of rehabilitation except that it would be specifically designed to deal with the problems of young people.

A youth guidance center would be established under the authority of the juvenile rehabilitation section. Delinquent youths would reside here for a period prescribed by court order. It would also be a model home for youth sent there for confinement and treatment. Tribal health, educational and so-

cial services would be represented to give these youngstyers rehabilitiaon services not presently designed for their need.

The report concludes its section on juvenile corrective needs stating, "The tribal government will be obliged to provide programs for non-delinquent

children ...and children who are truly delinquent.

"The Navajo Nation must recognize that it has small, growing and potentially harmful problem of juvenile delinquency," The study added.

(Turn to Page 6 Jail)

GALLUP INDEPENDENT

AUG 18 1976

Navajo Jail...

(Continued From Page 1)

"This problem needs immediate attention if it is not to escalate to proportions already in evidence in other parts of the nation generally and in other reservations specifically." The police chiefs said.

"When I first came here I was aware of conditions within and without the police department that required correction and I know that I could not do it alone." Roland Dart, Superintendent of the Navajo Division of Law Enforcement said in response to the report.

"I was the one who requested the study by the police chiefs," Dart said. "We paid \$50,000 for the report knowing that its recommendations would help us get the totally professional force the Navajo Nation deserves."

"We have already adopted and implemented some of the recommendations," he stated but added that more remains to be done.

It's important to emphasize that the report fully recognizes the quality of our 17 week recruit training school and specialized in service training programs for evidence technicians, traffic accident specialists, and investigators,

Dart said.

The study, Dart said, calls "my training program superior to that of many police agencies of comparable size, and recommends we train Indian police throughout the Southwest."

Dart stated that there were enough new mattresses now for jail inmates, that prisoner exercise remains a problem for security reasons and because when the jails were built exercise room wasn't provided. But prisoners are taken out about once every other day, he added, and often they are assigned to outside work such as cleaning details.

"We've instituted practices now which have upgraded conditions since the IACP report was issued," Dart said.

"Our record keeping is accurate and we know who our inmates are. General orders have been issued on the operation of the jails. A central record keeping system and a field reporting system are in operation," Dart added.

"Our jailers now go through a two week training program in order to improve their performance. Unfortunately their pay is low which doesn't give them the incentive to do the kind of job that higher pay would," Dart said.

Changes in Navajo Police Suggested

WINDOW ROCK, Ariz. (Dine Bureau) — One of the nation's police organizations has recommended major changes for the Navajo Nation's police force in a special.

This five year plan conducted by the International association of Chiefs of police (IACP) the request of tribal chairman Peter McDonald, proposes changes in police organization, patrol manpower, operations, personnel administrations, services and equipment.

While Navajo police have made great strides in their efforts to become totally professional IACP said changes still must be made over the next five years.

The plan calls for in reorganization including the elevation of Kayenta to a district command along with a new facility to be constructed there.

Roland Dart, director of the Navajo Division of Law Enforcement said he urged the construction of the Kayents facility before a congressional committee last March. He stated that at the present time the Bureau of Indian Affairs is under a congressional directive to conduct a report on all the criminal justice facilities on the reservation and to report back the first of January.

Other organizational and manpower changes termed necessary by the study are the creation of the new position of operational assistant, the establishment of patrol beats in certain crowded areas

and the drawing of new district boundary lines.

Increasing patrol, the plan calls for additional training for selected personnel and provides for the use of radar to catch traffic violators.

The study proposes new programs for criminal investigations and the introductions of a case review system to ensure follow ups.

The report also calls for specialized training of youth officers, the creation of special juvenile delinquency oriented programs, and the institution of a juvenile system solely concerned with problems of youthful offenders.

Dart termed the reports emphasis on the creation of programs for youthful offenders probably the most important made by the study.

Further recommendations by the IACP are:

- Annual manpower and personnel studies;
- Issuance of specific general orders on disciplinary action and grievance procedures;
- Establishment of uniformed divisions of three shifts along with inter-station rotation;
- Purchase of new radio mobile equipment and the linking of communication equipment into the state and national data retrieval centers.

Zuni 1985-1

'Conditions Deplorable'

By ROSS BECKER

ZUNI - A wide variety of programs are needed to close the standard of living gap between Zuni Reservation residents and the rest of the country, according to a draft of the Zuni Comprehensive Development Plan.

The report toward Zuni 1985 said that "compared to the U.S. average, the general living conditions in Zuni are deplorable. Some progress has been made...., but the 'level of living' gap between Zuni and the U.S. average is not narrowing sufficiently as yet."

Zuni's rapidly expanding population "coupled with an explosive expansion of housing development" and an increasing desire for business development have "resulted in an inharmonious appearance of building development and land use, and an incredible demand on our municipal, power supply and waste disposal systems," the report said.

"We are hurting visually, physically and in our deep feelings of wanting harmony with environment," the report added.

Although "random" planning attempts have been made by pueblo "individuals," the draft explained that there has been no compilation of "the total geographic and economic development approaches possible."

Tribal government "desires," the report states, to develop a comprehensive mapping and planning system for the entire reservation. Land use and ownership patterns, building and zoning codes, a complete inventory of ground surface water and power needs should be included in the system, the report commented.

Also to improve living standards of tribal members parks and recreation facilities should be developed on the reservation, according to the report.

A clean-up project of the Zuni River, a major summer play area for children, should be instituted, the report said. "The debris in the Zuni River and adjoining areas is very unsightly and presents a health hazard, in relation to lacerations from glass and cans, for children playing in the area," the report states.

"An average of five cases per week" are treated at the Zuni Comprehensive Community Health Center because of cuts that occur at the river, according to the draft report. "Animal excrement pol-

lutes and contaminates the river and is one of the causes of dysentery of children who play in the water," added the report.

Although 280 new houses have been constructed by the Zuni Housing Authority, 1,500 new units are needed on the reservation, the report claims.

Many families are living in homes that need repair... "there are 983 houses in need of ...attention".

"Prices for the total new housing development program, are staggering," the report said. Based on 1976 figures, construction of 1,500 Dept. of Housing and Urban Development houses would cost \$67.3 million to build. Each individual unit, including street, water sewer and site improvements would cost \$44,844 to build.

Improvements for the 983 homes in need of repair would cost \$11.8 million - - about \$12,000 a piece, the report.

Construction and renovation of the houses would, in addition to providing

better living conditions, provide more than 200 jobs for reservation residents each year until 1985, the report concluded.

To improve communications within the tribe and with off-reservation persons the report said that a radio station cable television system, and a tribally-produced newspaper should be established.

Plans for an FM radio station are already underway. A spokesperson for the future radio station said it should begin broadcasting in approximately one year. The station will provide news, entertainment and educational programming.

A cable television station is needed because of poor television signal reception here, the report said.

A tribally produced newspaper would replace the Zuni newsletter. The newsletter, released by the tribe every two weeks, does not contain current news and is not meeting the needs of Zuni, the report said.

GALLUP INDEPENDENT

AUG 18 1976

expense of Yuma County, which would revert to the desert it once was. If your bill passes, Yuma County will be left with a relative handful of people running the gas stations remaining along the southern route between Texas and California.

I take a second seat to no one in my desire to see economically viable and politically strong Indian tribal governments. I certainly

share the aims of your bill insofar as it seeks to help the 20,000 Indians who are members of the specific tribes in question. However, I do not think that this noble goal should be achieved at the severe costs which would naturally flow from your bill, nor do I think that this is necessary.

Your bill nearly doubles the amount the Indians have sought in their negotiations for it provides that the five Indian tribes be allocated 221,800 acres of agricultural land of these five Indian tribes as would happen under their own proposal to the Secretary of the Interior. It is quite different, and I submit wholly unjustified, to destroy whole towns and communities and do serious damage to the economic vitality of the entire state of Arizona to more than triple the viable agricultural land of these five Indian tribes as your bill would do.

Before you turn the communities of Yuma, Phoenix and Tucson into desolate wastelands and eliminate hundreds of thousands of acres of sorely needed productive agricultural land, I would hope that you would come to Arizona to ascertain the true facts and the real impact of your bill.

Sen. Kennedy responded that my letter was most reasonable - and most moderate. He agrees that a legislative, rather than judicial, resolution is the soundest course.

He wrote that he is not wedded to the acreage figures now included in his bill, a position I find refreshing because the figures now in the bill would give the Indians three times the amount of water needed to irrigate all Indian land now under cultivation and twice the amount the Indians themselves have requested as their share of the Central Arizona Project.

I take real heart at Sen. Kennedy's genuine willingness to reconsider and remake the provisions of his bill. I'd like to share a part of his letter with you:

"S. 3298 presents one approach to such a settlement. It is not a perfect bill, and no one is seeking to impose it upon Arizona. Nor have I ever indicated that I am permanently wedded to any of the figures the bill includes.

As I indicated when introducing the bill on April 13, the specific acreages contained in the bill were furnished to me by the tribes. By using these figures, I am not suggesting that they hold some special magic; I am not committed uncritically to these acreages, but only to the concept of settlement through the acquisition of water rights to irrigate practically irrigable lands."

Seattle
Post-Intelligencer
D. 203.733 SUN. 259.237

AUG 5 1976

Indian Fishing Via Boldt Order Will Risk Arrest

State Fisheries officials say they will begin arresting Indian fishermen today who are fishing in accordance with a federal judge's ruling but in violation of an international fishing pact.

"We have the authority and will arrest anyone, Indian or non-Indian, who is in violation of established fishing times," said Bob Cumbow, Fisheries information officer.

The complicated disagreement began with a ruling last weekend by U.S. District Judge George Boldt that gave treaty Indians three extra days of fishing in waters covered by the pact of the International Pacific Salmon Fisheries Commission. Indians now have five days a week to fish, while non-Indians are restricted to two days.

But Tuesday, the Canadian-American commission amended its rules to prohibit treaty

tribes from taking Fraser River sockeye salmon during hours closed to other net fishermen. It also added 24 hours to this week's fishing period for U.S. fishermen in waters under commission management.

Lawyers for the Lummi and Makah tribes had argued that the Indians would be denied the opportunity to catch their court-awarded share of half of the harvestable salmon in state waters, if they were not given more time to fish than the two days allowed by the commission.

Boldt agreed and issued the order giving the Indians three extra days, aimed at countering a seven-day-a-week open troll fishery the commission had allowed.

But the commission relinquished control over the troll fishery in an attempt to invalidate the Boldt order. Boldt set a hearing for next Tuesday to decide whether his original ruling should be made permanent.

A spokesman for Indian fishermen said the Lummi tribe plans to fish five days a week, despite the commission ruling.

"I think we'll just go by the ruling of the court," said spokesman Forrest Kinley.

Arizona in Turmoil Over Irrigation Of Indian Farmland

EDITOR'S NOTE: Today the Independent looks deeper into the controversial Central Arizona Project (CAP), under construction near Phoenix.

The Federal Bureau of Reclamation expects CAP to deliver 1.2 million acre-feet of irrigation water to central Arizona by the mid 1980's, primarily through diversion of water from the Colorado River.

Yesterday Steve Nickerson, in a reprint from Awkwesasne Notes, described the apago Tribe's need for CAP's irrigation water. Today Carolyn Warner, Democratic candidate for the U S Senate, warns that proposed Indian water allocations are too high, and will shortchange non-Indians in Arizona.

Her letter, reprinted here, was originally written to Sen. Ted Kennedy (D-Mass.). His response accompanies it, at Ms. Warner's request.

TOMORROW: Arizona Republicans Sen. Barry Goldwater and Paul Fannin comment on CAP.

Dear Senator Kennedy:

Nearly three months ago you introduced a bill in the Senate of the United States (S. 3298) which, if enacted, would give to five Indian tribes, with a population of less than 20,000, over 90 per cent of the 1.2 million acre feet of water which the Central Arizona Project (CAP) will bring into the interior of the state of Arizona.

While Arizona has her share of natural beauty and assets, one thing we do not have plenty of - particularly in central and southern Arizona - is water. Because the surface water (mainly from the Verde, Gila and Salt Rivers) is already fully committed and the ground water table is shrinking fast, in 1968 the Congress passed the Central Arizona Project Act which each year would bring 1.2 million acre feet of "new" water into the interior of Arizona.

Unfortunately, the state is depleting our reserved water supply by 2.2 million acre feet of water each year. It doesn't take a lot of mathematical learning to appreciate that even with the Central Arizona Project, Arizona's annual overdraft will still be 1 million acre feet. In short, the water that will be brought to central and southern Arizona by the Central Arizona Project is desperately needed to supply existing agricultural, municipal and industrial users and it is still not enough to make up the yearly overdraft.

Your bill would run roughshod over existing agricultural, municipal and industrial users and allocate to five Indian tribes with a handful of people enough water to irrigate 221,800 acres of land. Since it takes approximately 5 acre feet of water to make land agriculturally productive in central and southern Arizona, it will

take approximately 1,100,000 acre feet of water annually to irrigate these lands for agricultural purposes.

Thus, since the Central Arizona Project will bring only 1.2 million acre feet of water into the state's interior, the five Indian tribes would be allocated over 90 per cent of this desperately needed water if your bill became law.

I do not argue, and I don't think that any responsible person does, that these Indian tribes do not have substantial claims to water in this arid land. But to commit nearly 90 per cent of the Central Arizona Project water to these five tribes wholly ignores existing uses by these tribes not to mention the disastrous effect on the state's economy.

Your bill suggests purchasing 60,000 of farm land in the Welton-Mohawk District near Yuma...The land in the Welton-Mohawk irrigation district is some of the most agriculturally productive in the nation and the economic mainstay of one of the fourteen counties in this state - Yuma County.

I do not think that it is either morally justified or a sound allocation of benefits to attempt to improve the lot of the Indian tribes at the

A Southwest Issue

Over a million acre-feet of irrigation water will flow towards Phoenix in the mid 1980's, through canals of the Central Arizona Project (CAP).

The question is, who will get the water?

Cont'd

150,000 Jobs, \$22 Million Yearly

Navajo Uranium Hearings Set

By HOWARD GRAVES

WINDOW ROCK, Ariz. (AP) —The Navajo Tribe may be on the brink of an economic treasure trove from possible uranium deposits on reservation land in northwestern New Mexico.

Hundreds of millions of dollars could be reaped for America's largest Indian group under an agreement with Exxon Corp.

Federal officials called the project, if approved, a milestone for the estimated 150,000 reservation Navajos.

"The whole deal is unprecedented," says Dale Itschner, Bureau of Indian Affairs (BIA) field solicitor (lawyer) at Window Rock.

"There's a lot of money involved," says Wayne Stephens of Billings, Mont., the BIA's project manager for the Navajo-Exxon Uranium Development.

Depending on which option it exercises, the Navajos possibly could receive an estimated \$22 million annually or \$8.25 million per year for no less than 10 years.

BIA officials say Exxon also

could make millions of dollars from mining and milling uranium, if it is found.

The Interior secretary has been asked to approve an exclusive exploration permit and mining lease under the agreement.

The 400,000-acre prospecting area is along the New Mexico-Arizona border of the sprawling reservation.

If uranium ore in sufficient quantities to warrant development is discovered, Exxon would be permitted to lease 51,200 acres. Of that, 5,120 surface acres could be used for mining and milling purposes.

If the interior secretary approves the environmental impact statement (EIS), the tribe would receive an immediate \$6 million bonus payment from Exxon. BIA officials say that authorization probably won't come until late December or early 1977.

Draft EIS hearings begin Tuesday in Window Rock, the Navajo capital. The BIA-sponsored public hearings will continue Thursday at Shiprock and Friday in Farmington, both in New Mexico.

The tribe will hold additional hearings Aug. 9-10 at Newcomb and the Coyote Canyon chapter house, both in the affected exploration region.

Wyman D. Babby of Pin Termsland, Ore., who headed a special task force in writing the draft EIS said the development "is significant in terms of its magnitude. The project is unusually large."

He said, "We're dealing with a mineral that is rather controversial."

Stephens says there is an "early indication that some tribal officials don't agree with the socio-economic" content in the draft statement.

"The final statement, which will go to the interior secretary, will be a lot different structure than the draft EIS," he said.

Stephens said additional environmental impact hearings will be held before Exxon can start mining.

"That could be another year or more," he said. "Mining is a long ways down the road."

Itschner said the Navajos initiated the uranium development because "they were aware there might be something out there."

He said the tribe "structured the uranium development deal."

The Navajo government sent its proposal to about a dozen major companies.

Itschner said the tribal minerals department, with assistance from an outside consultant, ranked the bids "according to financial benefits the tribe would receive. Exxon came out the best."

The draft EIS says, "Impacts resulting from exploration will include disturbance of soils and vegetation and air degradation resulting from the vehicular movement and the operation of drilling equipment."

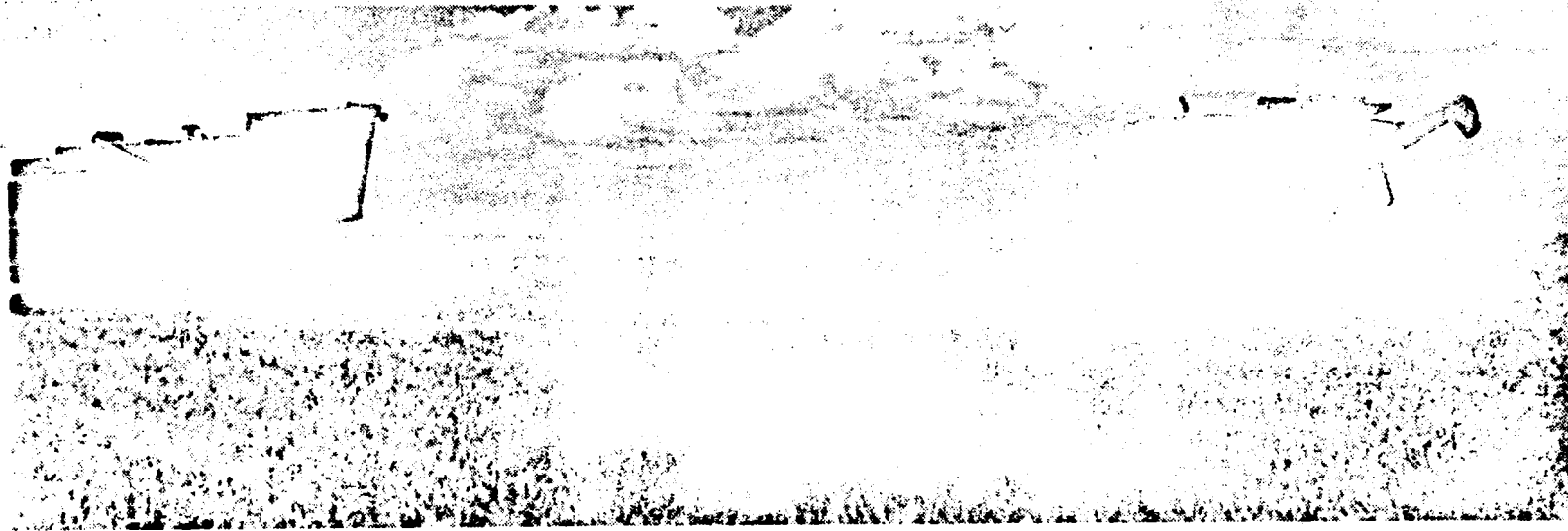
The agreement was approved Jan. 24, 1974, by the tribal council.

It says the Navajos can become a partner in the venture, holding up to 49 per cent interest or receive royalties.

Under the royalty option, the Navajos' income is projected at \$8.25 million annually. As a partner their share could reach \$22 million per year, according to BIA estimates. Federal agencies estimate that as much as 100 million pounds of uranium could be present in the prospecting area. The draft statement says geological surveys of the area indicate uranium deposits.

Farmington Daily Times

AUG 2 1976



Navajo Harvest

TURNING THE CORNER in Navajo history, and in the first field of barley to be harvested on the Navajo Irrigation Project, combine-harvesters sweep across Block one of the project south of Farmington. More pictures, and story, on page 10.

'Navajo Town' Needs More Study

WINDOW ROCK, Ariz. (Dine Bureau) - The director of the Navajo Tribe's Research office said he questions whether enough study has been done on the environmental impact of a proposed town that will be created because of the Navajo Indian Irrigation Project (NIIP).

In a statement to the Bureau of Indian Affairs, Dr. Ron Faich said the BIA-prepared draft environmental impact statement on the project even fails to mention the new community that the Navajo Agricultural Products Industries plans to build for its workers and families.

He said the town, expected to accom-

modate a population of about 8,000, will have some physical and cultural impact on the Navajo people, especially since another community, this one of 10,000 - 30,000 is expected to be built in the same general area if the tribe approves coal gasification.

These town in that area, including Shiprock, will make the Navajo people "a predominantly urban people for the first time in their history," said Faich.

"Is anyone so naive as to think that this change is not the paramount environmental impact of all from the point of view of the Navajo people?" he added, comparing the impact that will be faced by the general Navajo population to that of the African tribes who move from

their traditional rural villages to the more modern cities.

Andrew Benallie, assistant to Navajo Vice Chairman Wilson Skeet, said the irrigation community is expected to be established about five miles northeast of the Burnham chapter with 90 per cent of the community to be situated on the reservation and about 10 per cent on the other side of the reservation boundary.

The new community, as yet unnamed, will consist mostly of houses, Benallie said, with construction of the first units planned to begin in one or two years. He added that persons living in the community probably will do most of their shopping in Farmington, which, be-

cause of the new road between Farmington and Crownpoint now under construction, will only be about 20 miles away.

GALLUP INDEPENDENT

AUG 8 1978

Millions for Navajos, Exxon Are at Stake in Hearings

GALLUP INDEPENDENT

AUG 2 1976

By HOWARD GRAVES
Associated Press Writer

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Environmental impact of uranium exploration is subject of sessions starting this week.

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timate that as much as 100 million pounds of uranium could be present in the prospecting area. The draft statement says geological surveys of the area indicate uranium deposits.

If the Exxon agreement is approved, "the Navajos are committed to potentially massive mining and processing development of their uranium resources," says the statement.

Tribal Chairman Peter MacDonald said there may be opposition to the project from some Navajos living within the area.

"The minerals belong to all the people and not to just the people living there," said MacDonald. "We all have to share in it."

During the first and second years of the permit, Exxon must spend \$500,000 each year for exploration. In the third and fourth years, the company would pay \$3 per acre for each acre remaining under the permit. During the fifth and

sixth years, the work requirement is \$4 for each acre still remaining.

There is no limitation upon the number of exploration blocks other than the 51,200 acre total limitation.

The mining lease would be for 10 years "or so long as the specified minerals are produced in paying quantities," says the draft EIS.

Exxon would be responsible for all exploration and predevelopment costs prior to mining.

Exxon has indicated that if it finds enough uranium, it might build four underground mines and two processing mills.

The Navajos, BIA and the U.S. Geological Survey must give their approval before Exxon can begin mining.

The New Mexico Environmental Improvement Agency, acting for the U.S. Nuclear Regulatory Commission, would conduct environmental review of Exxon's milling techniques.

JUL 30 1976

Farmington Daily Times

Aztec Indian Dorm in Doubt Again

AZTEC — An unexpected letter from the Bureau of Indian Affairs has left Aztec school officials once again in doubt about the future of their Indian student dormitory program.

At their regular meeting Thursday the Aztec Board of Education was informed by Superintendent Gordon King that a letter received from the BIA this week has informed the district that Johnson-O'Mally funds will be available for out-of-state Indian student tuition only.

According to the letter, the BIA has now taken the position that all state resident Indians attending the Aztec schools will be the financial responsibility of the state and local district.

School board members, anxious to maintain the program but aware of the unfair burden on district taxpayers being asked to support the education of out-of-district students, instructed King to inform the BIA that unless some agree-

ment is reached, Indian students from outside the Aztec district may not be enrolled in the Aztec public schools next year.

The BIA letter was signed by Stanley Bennett, acting chief, branch of legislative liaison in Window Rock, Ariz.

King told the Daily Times he received a call from Bennett early today and arrangements are being made for an August meeting in Aztec between BIA and local school officials.

In a motion by board member Ken Folk, the board Thursday instructed King to respond to the BIA with a letter stating that unless BIA and school officials could not reach a negotiated agreement there would be a "possibility" that Indian students will not be enrolled in the district next year. The motion was given unanimous board approval.

School officials have anticipated an Indian student enrollment next year of 131 students, of whom 103 are in-state residents.

King estimated that at the cost of \$512.88 per student, the district would have to come up with another \$52,826. Some of these students are residents of McKinley County but the majority are from Central and Bloomfield school districts in San Juan County.

King said individual tuition contracts with each of these districts would present many problems.

In previous years the Aztec district has been faced with BIA insistence that the local district pay capital outlay and debt service costs for Indian students in the dormitory program. That issue was not resolved until school officials sought assistance from the New Mexico congressional delegation.

Prior to his motion directing Aztec's latest response, Folk commented, "I'm flat tired of sitting here letting them (the BIA) run over us." Folk added he was in favor of phasing the dormitory program out by the end of 1977.

Folk asked King if Aztec was committed to the program for next year and King responded, "I think we are. We can bluff a little bit but I think we are."

King told the board that at this late date the district has already hired five or six teachers at an average salary of \$12,600. In addition, the district is counting on \$80,000 in state money that would be lost by not accepting the Indian students. The district has already committed itself by hiring staff, King said.

Aztec BIA dorm Superintendent Hans Doerfert suggested the board seek assistance from BIA Acting Area Director Ed Plummer. Doerfert repeated his statement made on previous occasions that he was in the middle. He said he was never consulted prior to this latest BIA move.

Board President Lloyd Rasmussen stated he was in favor of a response that "just lays it on the line." He said that if forced to operate under

these conditions, the school should phase out the dorm program by the 1977-78 school year.

King was also authorized to inform the BIA that continuation of the dorm program would require compensation for hiring another administrator. The superintendent said administration of the program now requires a good deal of his time that should be spent on business pertaining to the needs of in-district students.

He described the dormitory program as a "good situation...we don't want to loose the kids. But, dadgum, we'd like to get it straightened out so we understand."

Crow elated over victory; vehicle tax is prohibited

By RICHARD H. GEISSLER
Of The Gazette Staff

Indians residing on reservations in Montana no longer have to pay state, county or school district taxes on their motor vehicles.

Yellowstone and Big Horn County assessors were notified by the state Department of Revenue Wednesday that they could not assess taxes on vehicles owned by enrolled members of the Crow Tribe living on the reservation.

A spokesman for the assessor's office in Billings said that up until the receipt of the notice, reservation Indians had been taxed when they purchased plates for their cars, trucks, motorcycles and other vehicles.

The memorandum sent by Dennis Burr, state property assessment division administrator, said the order was issued

after the U.S. Supreme Court upheld a lower federal court decision that Indians on the Flathead Reservation north of Missoula were not subject to state taxes.

Burr told The Gazette that even though the state and county can no longer levy property taxes against motor vehicles, licenses will not be free.

"There will still be some fee charged for the license and there is a chance the junked-car fee will still be charged," Burr said.

For years members of the Confederated Salish and Kootenai tribes sold cigarettes on the Flathead Indian Reservation without buying tax stamps.

Part of the reservation is located in Missoula County and Missoula Sheriff John Moe tried to force the Indians to comply with state tax laws. The case finally ended up in U.S. District Court in Montana.

Moe lost. The state was determined to have limited taxing authority over Indians living on reservations.

A portion of the Crow Reservation extends into the southeast corner of Yellowstone County.

The rest of the reservation, including most of the 3,500 enrolled Crows living on the reservation live on the portion in Big Horn County.

The City-County Planning office in Billings estimates there are from 1,000 to 1,600 Crow living in Billings.

County officials expressed concern Wednesday that many of the rural addresses on the reservation would be difficult if not impossible to confirm and that properly controlling the tax-free status would pose problems.

Spokesmen from the Crow Tribe were elated over the ruling and said it represented a reaffirmation of tribal sovereignty.

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AUG 2 1976

Navajos plan hearings on uranium offer

WINDOW ROCK — The Navajo Tribe and the Bureau of Indian Affairs will conduct six public hearings in the next two weeks on a proposal by Exxon Corp. to explore and mine for uranium on the Navajo Reservation.

Exxon has already received approval from the Navajo Tribal Council to begin exploration. The BIA has been considering the proposal for two years.

Tribal officials have criticized the BIA for taking such a long time to consider the proposal, since the tribe is to receive a bonus of \$6 million once the BIA approves the project. Tribal officials claim they are losing almost a million dollars a year in interest because of the

A spokesman for the BIA said the agency is proceeding as fast as possible. The BIA is currently making an environmental impact statement which is to be completed by the end of the year.

The six hearings will deal with the environmental impact statement.

The BIA-sponsored hearings will be Tuesday at the civic center here; Thursday at the boarding school in Shiprock, N.M.; and Friday at the community college in Farmington, N.M.

Tribal-sponsored hearings will be in the areas that will be most affected by the Exxon proposal. They will be Aug. 9 and 10 at the consolidated school in Newcomb, N.M. and on Aug. 11 at the Coyote Canyon, N.M. chapter house.

This marks the first time that the tribe has sponsored its own public hearings on mineral development on the reservation.

AUG 1 1976

Indian tribes plant fish in Northwest

By DON HANNULA

More than 15½ million salmon have been planted this year in Western Washington streams and marine waters by 13 Indian tribes, according to the Northwest Indian Fisheries Commission.

That includes cooperative programs with the State Fisheries Department and the federal Fish and Wildlife Service.

The tribes also have planted

430,000 steelhead and 17,500 rainbow trout this year.

Indian hatcheries and fish plantings have been growing steadily since the February 12, 1974, ruling by United States District Judge George H. Boldt that treaty tribes should have the opportunity to catch half the harvestable salmon and steelhead returning to traditional, off-reservation, Indian fishing grounds.

Deseret News
SALT LAKE CITY, UTAH
D. 81,855

AUG 2 1976 Navajos to build a marina

BLANDING, San Juan County — Construction of a new \$1.6 million marina on the San Juan arm of Lake Powell could begin this year.

"I would hope to open the facility next season," said Cleal Bradford, executive director of the Utah Navajo Development Council (UNDC).

Plans, which are in the preliminary stage, call for erection of a store-service station, boat docks, overnight lodging facilities and a camping area.

The site selected for the marina after an extensive feasibility study by Terracor of Salt Lake City, is the area of Nes-kahi Wash. It will be mainly accessible by boat although a dirt road is being built from Monument Valley by San Juan County and the Bureau of Indian Affairs.

The site is 24 miles up the San Juan from its confluence with the Colorado River.

The Terracor study shows the project to be economically feasible, Bradford said, and conditions look favorable for getting the project under way. However, approval of the Navajo Tribe must be obtained since the site is on tribal land.

Also involved in approvals for the project are the Bureau of Indian Affairs, National Park Service, Bureau of Reclamation and the Environmental Protection Agency.

The most activity this year was by the Quinault Tribe, which planted 5,620,000 coho, fall Chinook and chum salmon as well as 150,000 steelhead and 1,000 rainbow trout.

The Lummi Tribe, which has a big aquaculture program, planted 3 million salmon and 250,000 steelhead. The Makah Tribe planted 1,500,000 salmon and 2,500 rainbow trout.

Other tribes and their plants: Tu-

lalip, 1,430,000 salmon, 30,000 steelhead and 10,500 rainbow trout; Squaxin Island, 470,000 salmon; Muckleshoot, 900,000 salmon and 1,500 rainbow trout; Port Gamble, 400,000 salmon; Hoh, 150,000 salmon; Lower Elwha, 2,000 rainbow trout; Upper Skagit, 1,150,000 coho salmon; Puyallup, 250,000 salmon; Suquamish, 50,000 salmon; Nisqually, 535,000 salmon, and Steilacoom, 50,000 salmon.

Navajo Relocation Talk Delayed by Lease Issue

WINDOW ROCK, Ariz. (Dine Bureau) — Tribal Council deliberations on the El Paso coal contract have forced postponement of the of the scheduled appearance of the chairman of the Navajo-Hopi Relocation Commission to August 27.

Contacted by phone at his Sun City, Ariz. home, Hawley Atkinson said tribal general counsel George Vlassis notified the commission office in Flagstaff Tuesday that the postponement would be necessary. Arrangements were then made for an appearance on the 27th, Atkinson said.

Asked to comment on reports that dissension within the committee prompted the apparent resignation of commission members Robert Lewis, Atkinson said, "I only want to make possitive statements."

"The commission is today making more progress than it has at any time in its brief history," he said. "We are moving."

Louis notified Atkinson orally early this month of his intention to resign, but as yet has not submitted a letter of resignation. Lewis has said only that he is "awaiting reaction from Washington" to his dissatisfaction with the commission's activities; he has refused to state what this dissatisfaction entails.

Samuel Pete, director of the Navajo Land Dispute Commission, said last week that Lewis was upset with Atkinson's failure to seek counsel from Navajos facing relocation as well as with Atkinson's refusal to take a stand on the tribe's application for lands in the House Rock Valley to be used for relocation.

Atkinson insisted that Navajo input will be sought in the preparation of the relocation plan. "I am on record at two chapter houses as saying the only way we can develop a successful plan is by contacting individual Navajo relocatees," he said. "We will make an intensive effort to do that."

The commission chairman further reported that a socioeconomic consulting firm will be retained to develop the plan by which Navajo and Hopis will be relocated in settlement of their land dispute. He said the firm "must be objective and yet have an understanding of the upheavels that will go on."

Anthoropoligist Thayer Scudder will be contacted for advice in selecting the consulting firm, Atkinson said. Scudder has testified before Congressional and federal court hearings that forced relocation on a large scale would cause grave social and cultural disruption among the relocatees.

GALLUP INDEPENDENT

AUG 18 1976

The Phoenix Gazette
PHOENIX, ARIZ.
D. 121,306

AUG 3 1976

ARIZONA ROUNDUP

W-M Water For Indians Costly Item

YUMA — Shutting down the Wellton-Mohave project to turn its water over to Indian tribes would cost \$½ billion dollars, a Yuma County official says.

Sen. Edward Kennedy, D-Mass., has proposed closing down the project, paying off the farmers and landowners and releasing the water to five central Arizona Indian tribes.

County Manager Gene Brazeel presented the Yuma County Board of Supervisors Monday with a cost analysis of the proposal, as prepared by the U.S. Bureau of Reclamation. Anticipated costs include \$220.3 million to purchase 71,000 acres of irrigable land and 17,000 acres of privately held, non-irrigable land.

The federal government would lose its \$65.9 million investment in the irrigation system and the district would be giving up investments amounting to \$6.4 million, the report said.

It also could be expected to doom the farming towns of Roll and Walton and cost some \$2.2 million to relocate about 5,000 persons in the district.

Hearings on the Kennedy bill are to begin Aug. 10 in Washington. Yuma County spokesmen and a number of landowners will testify at the hearings.

Tribe Can't Deny Rights of Women

DENVER (AP) — Indian tribes do not have the power to deny female members rights guaranteed them under the U.S. Constitution, the U.S. 10th Circuit Court of Appeals ruled Monday.

The opinion stemmed from a case in which the Santa Clara Pueblo in New Mexico refused tribal membership to children of a woman married to an outsider.

The appeals court overruled a New Mexico U.S. District court which said the tribe was entitled to define its membership.

The pueblo in 1939 adopted an ordinance granting membership to children born of marriages between male members and non-members. The same privilege was not extended to females marrying outside the tribe.

The court, in an opinion written by Judge William E. Doyle, said the ordinance was passed because "the increase in mixed marriages produced concern about the enlarged demands for allocation of land and other tribal resources."

Equality guarantees of the 1968 Indian Civil Rights Act are like those of the 14th amendment to the constitution, the court said.

They are more important than a tribal rule adopted because of "practical economic considerations," the judges said.

The district court had said restricting the pueblo's ability to deny tribal membership would threaten its cultural and economic survival.

But Doyle wrote that if the mixed marriages caused economic difficulties, the problem "could have been solved without resorting to discrimination — by simply excluding the offspring of both sexes where the parent, either male or female, married outside the pueblo."

Julia Martinez, a Santa Clara, brought the case to court. She is married to a Navajo. They have lived at the pueblo for 25 years and have reared eight children there.

The tribe denied the children membership although they spoke the native language and practiced the traditional religion.

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AUG 6 1976

Corruption predicted in mining Navajo land

By BILL DONOVAN

SHIPROCK, N.M. — Mineral exploitation on the Navajo Reservation would produce "more corruption" among tribal officials, the director of the Shiprock Research Center said Thursday.

Harris Arthur said the federal government should consider increased corruption as a possible impact of mineral exploitation on the reservation and include it in the environmental impact statement.

His comments came at a hearing concerning uranium development on the reservation along the New Mexico-Arizona border.

The Navajos approved an agreement two years ago permitting Exxon Corp. to explore and mine for uranium. Geologists have said there may be 100 million tons of uranium in the sparsely settled area.

Testimony from Thursday's hearings will be used in an environmental impact statement that will determine whether the Interior Department approves the agreement. The final hearing will be today in Farmington, N.M.

Arthur and several other Navajos at the hearing claimed the tribal government will have a great deal more chance to become corrupt if the agreement is signed, especially since the tribe may get as much as \$400 million over the life of the contract.

Enos Johnson of Sanostee, a small Navajo community in the center of the uranium region, urged the government to delay its decision until completion of investigations of the tribal government.

Grand juries in Phoenix and Albuquerque are probing tribal financial activities. So far 11 tribal employees, most of them clerks and secretaries, have been indicted for embezzlement.

"Let us wait until this situation is cleared up before this agreement is approved," said Johnson. "They say jobs will be created for us but I feel this agreement will only lead us to disaster."

Fifteen persons spoke at the hearings and almost all were against the agreement. Most of the speakers live in the Shiprock area, which is within the uranium region. Several said they have worked in uranium mines and expressed fear that the people in the area would suffer physically from the exploration.

Lucy Keswood, a resident of Shiprock and a member of the militant Coalition for Navajo Liberation, said uranium mining would be dangerous for area residents.

"I think life is more important than material things," she said, adding that she felt it was possible that the federal government was going to approve this agreement so that "they can let us off."

Tribe's Legal Aid Budget Expands

By HOWARD GRAVES

Associated Press Writer

WINDOW ROCK, Ariz. (AP)

—The budget of the Navajo tribe's Legal Aid Department is growing.

Tribal records show the department's legal fees budget jumped from \$3,000 a year in 1974 and 1975 to \$50,000 for fiscal year 1975-76. Legal Aid's total budget increased from \$117,694 in 1974 to \$205,919 for fiscal 1976.

Director Bruce Charles, who formerly worked in legal aid services in Albuquerque, said the \$3,000 in legal fees for referral attorneys were "totally ridiculous. I originally asked for \$100,000," for fiscal 1976."

He said that when he became Legal Aid director about a year ago, "I tried to make the program as effective as possible. It's a service the tribe feels is necessary."

Charles said his office has

represented about 180 Navajos in various civil and criminal cases.

Charles said there was nothing strange about the use of tribal funds for hiring off-reservation referral attorneys. He said the money is used to hire attorneys for legal work that can't be handled by his small staff.

He was asked about the use of tribal Legal Aid money to pay attorney fees for a tribal official who pleaded guilty to embezzling tribal property.

"There was nothing more to this than in the public defender system," Charles said.

The tribe paid \$2,500 in legal fees for a one-time tribal executive convicted for criminal wrong-doing against the Indian group. The tribal-funded Legal Aid Department also paid an additional \$255 for nontribal attorneys to represent two other high-ranking

tribal officials.

Two of the three payments were authorized by Charles. The third was requested by Michael Stuhff, a staff attorney.

The payments were verified by vouchers and other documents obtained by The Associated Press.

A tribal voucher shows Phoenix attorney Tom Galbraith was paid \$2,500 to represent Art Arviso earlier this year.

Arviso, former staff assistant to Tribal Chairman Peter MacDonald, was indicted by a federal grand jury in Phoenix, which is probing alleged financial irregularities on the nation's largest Indian reservation.

Arviso, 42, pleaded guilty June 2 to embezzling building materials and labor from the Navajo Tribal Fair for use at his Window Rock residence.

Arviso was sentenced June 28 to three years probation, ordered to \$1,500 in financial restitution and to contribute six months of personal services to a tribal agency.

Tribal documents also show that Legal Aid paid \$555 to a second Phoenix attorney, Paul Eckstein. He is representing Dillon Platero, director of tribal education, in a pending tax matter.

The Eckstein payment was approved by Perry Allen, executive administrative assistant to MacDonald.

Louis Denetsoie, a Navajo in private law practice at Window Rock, was listed to receive an estimated \$300 to represent Edward Paul Tso, 33, also of Window Rock.

Tso, an assistant director of the Navajo Office of Manpower Administration, was sentenced July 12 after pleading guilty to a misdemeanor violation

Contractor Sells BIA Cattle To Partner For Loss

WHITE CONE, Ariz. (AP) — A Bureau of Indian Affairs contractor has auctioned more than \$1 million worth of U.S. government cattle to his business partner and other associates in the past four months at 75 per cent of their value, authorities said.

Neither the BIA nor the contractor advertised the auction at government pens here to reduce livestock grazing on land designated for joint use by the Navajo and Hopi tribes.

The contractor, W.D. Baker of Joseph City, acknowledged the sales to his partners and other associates Tuesday, but denied they received favoritism.

The solicitor general will investigate for possible conflict of interest, said a BIA official in Albuquerque.

BIA records at Flagstaff show cattle, horses, sheep, and goats bought from the Navajos for \$1,178,000 were sold for

\$905,000 since April 7.

"If Baker has a conflict of interest, we will of course bring that to a screeching halt," said BIA contracting officer Larry R. Ware.

Baker purchases the Indian livestock, then auctions them.

Eugene A. Snyder a BIA soil scientist in charge of the government livestock pen at White Cone said he asked for an inquiry two months ago, and was told by his superiors that "everything is clean."

Snyder reported that Victor Williams, Baker's partner in a Joseph City livestock dealership, is the largest buyer of government livestock auctioned by Baker.

Williams is listed as a buyer for the Rita Blanca Cattle Co. of Dalhart, Tex., but Baker said the livestock he sells to Williams is trucked to the Baker & Williams Livestock Dealers pens in Joseph City to await marketing.

"What could be wrong with (Baker & Williams Livestock) leasing Rita Blanca a pen to put their cattle in?" Baker asked.

Baker said he also has had private business dealings with each of the other buyers to whom he auctions livestock at White Cone.

Baker receives \$79 a day under his BIA contract, plus a 4 per cent commission on the auction sales. BIA records show he has received more than \$43,000 in the past four months.

"I hired out to do a job and I've been doing my job," said Baker. "I set them in (start the price) where I think there's a margin of profit left, and what the buyers do is strictly up to them."

Word of the auctions is spread "by word of mouth and telephone, and one thing and another," he added.

AUG 22 1976

Farmington Daily Times

Approval of Interior Secretary Needed

Navajos OK New Coal Lease

WINDOW ROCK, Ariz (AP) —The Navajo Tribal Council has approved a renegotiated lease with El Paso Natural Gas Co. and Consolidation Coal Co. for coal mining on 40,226 acres in the Burnham, N.M., reservation area.

The 49-11 vote climaxed almost a week of discussion and represented a victory for the administration of Tribal Chairman Peter MacDonald.

The new lease must be approved by the secretary of the Interior.

"As leaders, we have responsibility and must put politics

aside in matters as important as this," MacDonald told the council just before the Friday vote. "I believe this lease protects our people, our land and our resources."

He said the lease was much better than any previous lease for mineral development negotiated by the tribe, and may be the type of lease that Indian tribes throughout the country will use as a model when negotiating for development of their resources.

Tribal officials said the renegotiated lease represents a better deal for the Navajos

than the previous lease with El Paso. That lease, negotiated in 1968, had two more years to run.

The Navajo Nation initially would receive \$5.6 million as a bonus royalty payment from the company. The payment is due within 10 days after the lease is approved by the Interior secretary.

Under the lease, the tribe would receive 55 cents a ton for the coal mined and sold, or eight per cent of the price of coal EPNG receives, whichever is greater.

In the previous lease, the

price for coal to the tribe had been 20 cents a ton if it was sold on the reservation and 30 cents a ton if the coal was sold off the reservation.

The new proposal would also require EPNG to:

—Pay the tribe \$6.25 per acre for a total of more than \$250,000 per year for the first seven years, a stipulation the tribe hopes will encourage EPNG to begin mining soon.

—Pay the tribe \$50 per acrefoot for any water used in the mining operations.

—Give the tribe more control over land reclamation and environmental protection.

The resolution accepting the companies' offer said the lease improved the Navajo position "both economically and environmentally."

The lease includes a Navajo-

preference hiring clause.

The lease also calls for relocation of some 49 Navajo families, who will be compensated for having to move.

A number of Navajos from the Burnham and Shiprock areas, who opposed development of the land in those regions, attended the tribal council session during most of the week-long debate. When the council recessed some of them protested the decision.

The vote was on a role call, which is unusual for the tribal council. Fourteen council members were absent.

The actual key vote came Thursday when the council, voting 26-22, defeated a move by those opposed to the lease to have the resolution tabled and delay the action indefinitely.

AUG 22 1976

Apaches Joining Treasure Hunt

MESCALERO (AP) — The Mescalero Apaches are getting into the Victorio Peak treasure act.

A contract with Joe Newman of El Paso employs him to "explore, excavate and retrieve alleged treasures located in the vicinity of White Sands Missile Range in the State of New Mexico."

The alleged gold or treasure cache in the Victorio Peak area of the San Andres Mountains on the missile range has been New Mexico's most publicized missing treasure story for many years. The state government, the U.S. Army and other officials and agencies have been involved in dealing with treasure seekers.

Victorio Peak was named for a famed Apache war chief, Victorio, who died in battle in 1880. Victorio, a Warm Springs Apache, lived on the Mescalero Reservation for awhile in the 1870s. Victorio Peak was one of his camping places. He and his Apaches gathered loot from raids throughout southern New Mexico.

Newman apparently is recognized by the Army as one of the legitimate treasure claimants, and he claims to have seen the treasure in a cave at Victorio Peak.

Sampson Miller of the Bureau of Indian Affairs office at Mescalero confirmed today that the tribal council had authorized a contract with Newman who is president of Treasure Finders, Inc.

Mescalero President Wendell Chino was not available for comment.

Newman said the contract provides that he is to bear all expenses related to the search, and is to receive 50 per cent of

the "net treasure set aside to the Mescalero Apache Tribe."

The tribal resolution authorizing the contract says, "Whereas, The Mescalero Apache Tribe has been recognized as the descendent body of the Apache Tribes in southern New Mexico by the United States Indian Claims Commission, and

"Whereas, The Treasures of Chief Victorio would be the property of the Mescalero Apache Tribe, and

"Whereas, Treasure Finders Inc. have presented a contract for sharing the proceeds of such treasure following discovery,

"Now, therefore, be it resolved, that the Mescalero Apache Tribal Council does hereby authorize the President of the Mescalero Apache Tribe to enter into an agreement between the Mescalero Apache Tribe and Treasure Finders Inc. for the recovery and sharing of said Treasure of Chief Victorio."

For a long time the Army kept would-be treasurer seekers off the missile range and away from Victorio Peak. In recent years there have been renewed efforts by some claimants to gain access and the Army has indicated it will allow entry by claimants in an orderly manner.

The claimants have been preparing for a scientific search of the peak, to be conducted by the Stanford Research Institute, on behalf of all claimants. The search would involve electronic instruments designed to determine if there is any gold cache on the peak.

The electronic search was postponed earlier this summer. A new date has not been set.

QUA'TOQTI

AUG 19 1976

'Indian' defined for BIA policy

The office of the commissioner of the Bureau of Indian Affairs (BIA) announced to the Area Offices recently that during the past several months, an extensive study has been made of the definition of Indian, in terms of the present policy and the statutory definition in the Indian Reorganization Act, June 18, 1934.

Effective April 20, 1976, the definition of Indian as stated in Section 19, Indian Reorganization Act of June 18, 1934, 25 USC 479, was to be the criteria used in recognizing an individual for the purpose of Indian preference in certain personnel actions in the bureau. Indian means persons of Indian descent.

1.) Who are members of any recognized Indian tribe now under federal jurisdiction;

2.) Who are descendants of such members who were, on

June 1, 1934, residing within the present boundaries of any Indian reservation;

3.) All others of one-half or more Indian blood; and

4.) Eskimos and other aboriginal peoples of Alaska.

An individual meeting any one of the above criteria of the statutory definition, will be afforded preference in actions filling a vacancy by a promotion, reassignment or lateral transfer, in the bureau. This policy will not apply to initial hiring until a new Schedule A appointing authority has been received from the Civil Service Commission. Employees will be responsible for providing the Personnel Office with certificates verifying that they meet one of the criteria above.

The commissioner urged wherever there were exclusive union recognition, that this information be brought to their attention.

Taxes Said

By SCOTT SANDLIN
Daily Times Staff

A University of New Mexico professor says Indian tribes, particularly the Navajos, should consider payroll tax, a complex income tax and taxes on resource extraction to provide revenues supporting governmental services.

The remarks came from economist Dr. Gerald Boyle during the first of two forums Wednesday sponsored jointly by the New Mexico Humanities

Council and Navajo Community College on state taxation on Indian land.

Boyle, who has studied the economic status and tax alternatives for the tribe, was one of 11 economists, attorneys and humanists at the panel discussion attended by about 40 persons.

Boyle suggested an internal payroll tax as a more effective form of generating revenue than a sales tax, since only 20

Farmington (N.M.) Daily Times Thursday, August 19, 1976—3A

Source of Indian Revenue

per cent of Navajo consumer purchases are made on the reservation.

He also said a change in the economic desirability of coal, uranium and other natural resources in recent years made tax possibilities "almost endless."

But an afternoon speaker, Sharon Williams of the Navajo Tribe's newly formed tax commission, noted that most of the tribe's leases with industry included "tax holidays" or exemptions that hinder the tribe's ability to tax.

She used the lease with Arizona Public Service Co. (APS), which includes an exemption for up to 35 years, as an example. She said the exemptions were "unconscionable."

Graham Holmes, an attorney and title examiner for the Navajo Land Administration, said future leases between the tribe and industry could tie rent to an escalation clause.

He also said the state is "pecking away at the tribe's sovereignty with taxes. They are trying to find a crack or hole to broaden their tax base."

The question of state taxation of leasehold interests on Indian lands hinges on the perennial question of jurisdiction, he said. Since the state has jurisdiction of non-Indians on Indian reservations, the state has used that concept as a wedge with taxation, he said.

The tax area, said panelist Joe Little, director of the New Mexico Indian Tax Study Commission, needs to be confronted head-on to be resolved and close the legal gap.

An attorney who drafted the original version of House Bill 19 on taxation of leasehold interests on tax-exempt lands, said the original bill was clear-cut on the property tax question.

"The (House Taxation and Revenue committee's position

was that the issue would have to be decided sooner or later by the courts," said John Jasper, consultant to the committee on the bill. "The draft bill clearly raised those questions."

He said amended versions of the bill took a neutral position. The legal issue tied up with the state issue, he said, is whether or not the state's taxation of non-Indian interests on Indian lands is interference with a tribe's right to govern itself. Case law on the subject is vague, he said.

The compromise measure finally passed by the legislature is "intentionally unclear on the question of taxation of improvements."

Sharon Blackwell, an attorney for the Interior Dept., and Ben Hanley, an attorney with the legal department of the Navajo tribe, criticized the law.

"I will argue vigorously that the state action is unconstitutional since it places an in-

direct and direct burden upon the owner of the land," Hanley said.

Mrs. Blackwell said the state law encroaches upon federal authority.

"The federal government has absolute power to legislate over Indian affairs, and state laws generally are not applicable to Indian lands, she said.

The discussion, moderated by Navajo Community College economics professor Phil Reno, drew a crowd composed primarily of persons with vested interests in the taxation question. They included State Reps. Boyd Scott and Jerry Sandel; representatives from WESCO, Utah International, APS, El Paso Natural Gas; a contingent of Pueblo Indian officials, including the governors of Laguna and Cochiti pueblos and members of the All-Indian Development Association; officials from the Navajo Tribe's tax department; and members of local civic groups.

JUL 30 1976

Seneca Nation, N.Y. Sign Land Pact

SALAMANCA, N.Y. — (UPI) — The first pact between the state of New York and a sovereign Indian nation since the early 1800s was signed this week on the Allegany Indian Reservation in Cattaraugus County.

The agreement makes 795 acres of Allegany Indian Reservation land available to the state for construction of a key link of the Southern Tier Expressway.

Under the agreement, which was signed by State Transportation

Commissioner Raymond T. Schuler and Seneca President Robert Hoag, the Seneca nation will receive 750 acres of land within Allegany State Park, and 45 acres of private land to be purchased by the state from local property owners. The nation itself will receive nearly \$500,000 from the state and individual members of the nation will share a total of \$1.3 million.

The agreement clears the way for the state to begin construction of a 16-mile section of the express-

way between Allegany and Salamanca, which will connect with the already-completed Salamanca to Jamestown section.

Raymond Hardy, special assistant to Gov. Hugh L. Carey, presented Hoag with a letter from Carey in which the governor said he hoped the signing would "signal an even greater area of cooperation in the future from which all of the Senecas and all of the people of New York will benefit."

AUG 5 1976

The Changing Navajo Culture

Extensive industrial development on the Navajo Reservation is almost certain to break down the tribal culture, just as a researcher says, but that isn't necessarily a revolting prospect since the alternative is the poverty inherent in a pastoral society.

"How much can this area take?" asked Ronald G. Faich, Navajo Research and Statistics Center director, at a public hearing in Window Rock on a draft environmental impact statement for a uranium mining and milling operation that could bring the Navajos more than \$400 million.

He added that the "stresses and strains" on Navajo culture from the uranium development and other industrial and agricultural developments "can't be conveyed" in an environmental impact statement. Faich apparently is suggesting that the Navajo Reservation be maintained as a living museum of a colorful people untouched by technology.

To be sure, the Navajos have a rich culture, but one that has changed over the years, surely for the better in some ways. The Navajo silversmithing so admired

around the world doesn't go back to the dawn of time, but was introduced by Spaniards exploring this area a few centuries ago. Navajo culture also changed when the horse, also introduced by the Spaniards, was replaced by the pickup truck.

The Navajo culture today is considerably different from the culture of a century ago. Whether as a result of uranium finds or some other development, the culture probably will be something different still a hundred years in the future. After all, culture ordinarily is an evolutionary process, except among primitive peoples hopelessly isolated from contact with other societies.

It is to be hoped that the Navajos can combine the best of their traditional ways with technological change — as they have done rather successfully in the past — to come up with a culture that is uniquely Navajo.

In any event, the Navajos should not be frozen in time and denied the advantages of industrialization simply because non-Indians find them so fascinating the way they are.

AUG 5 1976

By Federal Judge

Satiacum Gets Order to Move Businesses Out

WLA 2/77F

By NEIL MODIE

A federal judge ordered Indian activist Bob Satiacum yesterday to remove his smoke shop, bar and other controversial business enterprises from Puyallup tribal land in Tacoma within two weeks.

U.S. District Court Judge Walter T. McGovern issued a preliminary injunction against Satiacum and his brother Charles in a lawsuit brought against them by the tribe and its tribal council, which accused the brothers of occupying the land by force without having signed a lease.

The order will be in effect only until the suit goes to trial. But due to a heavy backlog of civil court cases, a trial of the case on its merits isn't likely to occur for several years — if ever.

The defendants' lawyer, Jack Tanner, said afterward that the ruling won't mean the end of the business empire which Bob Satiacum has built on the reservation — and which has embroiled him in running legal battles with other tribal members and the U.S. government.

"It's going to come as a shock to some people," Tanner predicted with a chuckle. "I imagine Bob will pop up in business on the reservation but not on tribal land." It's likely to be on nearby land that Satiacum or his family owns on the reservation, he added.

Judge McGovern ruled that the Satiacums are occupying the tribal property illegally. But he said the brothers may be entitled to some amount of compensation for the buildings and improvements they have put on the property since 1971.

During a court recess, Tanner and lawyers for the tribe, Laurence and Sharon Finegold, then agreed that the Satiacums will vacate the property within two weeks and take all fixtures and other movable property with them.

Then, either the judge will require the tribe to post a bond based on the value of the remaining, permanent structures, or the parties will attempt to negotiate for the purchase of it by the tribe.

Satiacum operates a tax-free cigarette shop, a bar, restaurant and Indian crafts shop. He formerly operated a gambling casino and a stand that sold non-"safe and sane" fireworks, which are illegal under state law.

Federal agents raided the casino in April and the fireworks stand in July, shutting down both operations, which were declared illegal in court orders obtained by the U.S. attorney's office. Bob Satiacum and four others also face a criminal indictment charging them with operating an illegal gambling business and conspiracy to operate it.

Besides temporary and permanent eviction orders, the tribe's lawsuit asks for damages of more than \$1 million for trespassing, injury to the tribe's reputation, danger to tribal members caused by the business activities and rental value of the property.

Laurence Finegold argued yesterday that although the tribe and the Satiacums repeatedly have attempted to negotiate a lease, none ever has been signed and the brothers use heavily armed guards to occupy the land "by naked force."

Tanner said the guards are retired Tacoma policemen, hired to protect against theft. He said that although no lease has been signed, the Satiacums currently pay the tribe \$5,000 a month in rent.

Tribal members voted in a referendum last year to require the Satiacums to pay \$25,000 a month rent or vacate the land. Finegold said the tribe is "land-poor" and needs the property for its own uses. The property is at 101 Pioneer Way in Tacoma.

OFFICE OF THE ATTORNEY GENERAL
PORTLAND, OREGON
SEP 10 1976

AUG 6 1976

Klamaths draft wildlife plan

By **BILL CHIDESTER**
of The Oregonian staff

WJG/TF

Preservation of the deer population and regulation of Indian hunting practices are the main provisions of a new fish and wildlife management plan drafted by the Klamath Indian Tribe for its members on the old Klamath Reservation.

Tribal officials and advisers explained the purpose and provisions of the plan at a news conference Thursday in Portland.

Charles Kimbol, tribal chairman, said the plan was adopted 120 to 13 by the tribe's general council.

He said the Klamath Indian Game Commission will enforce the plan and punish violators. The plan pertains only to tribal members, on the 1954 rolls, hunting on the 1.2 million acres of the former reservation which is part of the Winema National Forest.

"This is truly a great event in our tribe's long history," said Kimbol.

He noted that federal sanction and supervision of the tribe was terminated in 1954, but in a 1974 court case, the U.S. Ninth Circuit Court of Appeals held that the Klamaths have hunting and fishing rights on the former reservation.

Tribal members are not subject to state law when hunting or fishing on the former reservation, he noted.

"But the lack of state regulation over Klamath Indians on the reservation does not mean there will be a lack of effective regulation. The Klamath Tribe is able to regulate our tribal members far more effectively than can the State of Oregon," he said.

Joseph F. Coburn, director of the Pacific Northwest Indian Program, estimated the deer population on the former reservation has been reduced from 30,000 in 1961 to 9,100 in 1974, due to overhunting by nonIndians.

Charges that the Indians are responsible for the decrease in the deer herds have never been proved, said Charles Wilkinson, University of Oregon law professor and tribal adviser.

Further defense of these charges is not an underlying reason for the fish and game management plan, he contended.

One provision of the plan is that tribal members

will be allowed to hunt no more than 7.5 per cent of the deer population during the year beginning Sept. 1, 1976.

Larry Safley, wildlife biologist for the tribe, has recommended that annual harvest of the deer population should not exceed 22 per cent, if the herds are to be preserved, said Kimbol.

Other provisions are:

— Antelope hunting will be closed to tribal members, to encourage conservation practices by the state.

— A road closure program by the U.S. Forest Service will be adopted.

— Tribal game wardens will be appointed to enforce the plan, and violations by non-Indians will be reported by the game wardens to state and federal officials.

— A tribal court will hear violations.

— Tribal wildlife conservation programs, directed by Safley, will continue on the old reservation.

The plan will be sent to the Oregon Fish and Wildlife Commission, said tribal officials. "If the state doesn't accept the plan, we may have to revise it," said Coburn.

Kimbol said the commission last year rejected the tribe's proposals for hunting regulations on the old reservation, and Wilkinson said the tribe's experience with the commission "has been frustrating."

"We would hope the state will adopt a similar fish and game management practice," Wilkinson said.

"There is no implied threat here for litigation with the state," Wilkinson said he hoped any differences with the state Fish and Wildlife Commission could be worked out "at the bargaining table."

Sid Lezak, U.S. attorney for Oregon, said the ramifications of the game management plan "go beyond hunting and fishing."

He said the plan "focuses attention on the identification of the Klamath Tribe" and the "long road back" for social and economic direction after "heavy-handed methods" used in the past by the U.S. government.

He said he was "delighted to see the Klamath Tribe use this game management plan as a method toward the conducting their own affairs."

AUG 2 1976



Three members of United Tribal Youth examine the van they use to attend Indian gatherings and recruit members to the group, organized to build Indian self-esteem. From left are: Rudolph Tartsah Jr., Anadarko; Theron Starr, Clinton, and Gary Tsoodle, Anadarko. (UPI Telephoto)

Indian Group Fights 'Negative Problems'

By KAY MCCARTHY
United Press International

Indian teenagers and young adults have formed a new group they hope will spread across the country to fight the "negative problems" confronting them.

United National Indian Tribal Youth or UNITY, urges Indian youths to lift their self-esteem and preaches positive thinking similar to advice from Norman Vincent Peale.

UNITY executive director J.R. Cook, 37, of Weatherford, said the group seeks to interest Indian youth in planning what they will do with their lives.

"The part we identify with is the tomorrow, the future," he said. "There are so many negative statistics, dropouts, unemployment, poverty, a high incidence of alcoholism. The proportion of Indian people incarcerated is way out of line."

Thoughts for building self-pride are listed in a UNITY newsletter:

"I am a valuable worthwhile person worthy of the respect of others. I have a positive expectancy of winning big and take all setbacks as temporary.

"I am kind, gentle and compassionate with myself. I easily express my ideas and know that others respect my point of view."

Cook says UNITY tries to increase Indians' participation in school activities and "assist in dealing with negative peer group pressure."

UNITY groups have formed at Weatherford, Elgin, Carnegie, Mountain View, Hobart, Geary, Canton and Seiling. Some groups meet in schools and have faculty members as sponsors.

The members plan to sponsor a band and present an Indian puppet show at the American Indian Exposition in Anadarko Aug. 6-14. In March they held a state conference in Anadarko.

Cook, who says he is at most one-sixteenth Cherokee, was an assistant basketball coach at Southwestern State University at Weatherford and worked with the Upward Bound program there for 10 years.

He then served as project director for a dropout prevention and cultural enrichment program funded by the U.S. Office of Education, Title IV, Indian Education, for a year, ending July 1. UNITY grew out of the Title IV program, but now he hopes no federal funds will have to be used.

"We are striving to do without a federal grant and at the moment we're about \$11,000 in debt," he said.

Some of the money was spent to buy, decorate and furnish a bright red, white and blue van members use to travel around the state and on out-of-state trips to Indian gatherings.

UNITY was able to borrow the money through assurances by its board of governors, who are adults active in Indian organizations in Oklahoma.

"This shows that we were convinced of the value of it," Sammy Tonekei White, board president, said. White, who wears two long braids, is a staff member of the Native American Center in Oklahoma City, writes two weekly columns in The Oklahoma Journal on Indian matters and co-hosts an Indian television show.

Gary Tsoodle, 17, of Anadarko, a Kiowa-Apache, said UNITY offers help for youths with such problems as a bad home life.

"They try to see you on the same level and can say 'I know what you're talking about,'" he said.

AUG 10 1976

IN THE INNER CITY

By Edward H. Blackwell
of The Journal Staff

The name hasn't been selected for what is believed to be the first newspaper in the Milwaukee area to serve the Indian community. The paper's first edition was published July 10. The second edition is expected to be distributed soon.

Lee Thundercloud, a member of the Indian Community Newspaper Committee, which publishes the paper, said one of the reasons for the delay was technical problems in printing the paper.

The Indian Urban Affairs Council, an organization of Indian groups serving the metropolitan area, is underwriting the cost of publication, Thundercloud said.

Half Live Here

It is estimated that about half of the state's Indians live in the Milwaukee area.

"There is a need for the paper because there are a lot of issues involving Indians that the Indian people should know about," Thundercloud said.

The paper should let people in the Indian community know what services are available and provide a better means of finding out what issues they should be concerned about, he said.

"And besides, it gives a voice to the Indian community here," Thundercloud said.

In the first edition, readers were asked to send in sugges-

tions for a name for the newspaper. About 30 were received, Thundercloud said. The names will be published in the next edition, and readers will be asked to vote for their favorite. The name receiving the largest number of votes is the one that will be given the newspaper.

The paper's staff hopes people in the Indian community will contact the paper if they have news of interest to the community. The number to call is 933-4100.

The contributions Catholic schools have made here and in other cities to the educational success of blacks and other minorities have not been widely publicized.

In the June edition of *Psychology Today*, T. George Harris, editor in chief, wrote that "one of the hidden facts of ghetto education has been the black success in Catholic schools . . . Around the US poor families, not just middle class types, wait for months to get their children into parochial schools in ever increasing numbers."

True Here

This is true in Milwaukee. All of the Catholic schools in the Inner City and community schools, former parochial schools, all report waiting lists.

Harris said there was a deep irony in the situation because "their success rate is very high and their cost is

quite low, a fraction of the cost per pupil in public schools."

The big difference in cost comes not so much from the lower salaries paid the priests, nuns and lay teachers as from the low overhead of the church operated schools, Harris said.

This is because they don't have the increasing bureaucracies that burden the public school systems, he said.

One of the ironies is that while nobody disputes the success of these schools, which incidentally have an exceptionally high number of non-Catholic students, few help them when they are on the edge of insolvency.



Edward H. Blackwell

As Harris said, "there's nobody to save the parochial schools that are now badly needed to help meet a national need." He lists these reasons:

Many blacks are suspicious of white Catholics. The legislative bodies at all levels of government are afraid of getting involved in church-state tangles. Liberals are hung up on busing. Public educators are afraid to make a cost comparison, and researchers are splitting hairs over educational philosophies.

Indians Ask Hunting Limit

Members of a newly formed Klamath-Tribe Game Commission asked the Oregon Fish and Wildlife Commission Thursday to limit hunting by non-Indians in the Winema National Forest while the tribe limits Indian hunting in order to build up deer and antelope herds.

Charles Kimbol, tribe chairman, said during a Portland press conference that the tribe was determined to "restore our land to its former bounty." He said the Indians would harvest only 7.5 per cent of the deer population although an

Indian-hired wildlife biologist said a 22 per cent harvest would fall within good conservation practices.

Clarifying that the new tribal regulations would apply only to Indians, and that Indians would not trespass on private land without permission, Kimbol asked the state commission to set aside past misunderstandings and cooperate with their conservation efforts.

"One of the saddest chapters in the history of the Northwest has been the failure of state wildlife agencies to cooperate with Indian tribes," Kimbol said. "Rather than work with us, they have chosen to fight us at every turn.

" . . . That misunderstanding is that as state management is somehow superior to tribal management," he said.

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AUG 5 1976

ADULT EDUCATION

House aid awaited on Indian program

By NANCY PAULU

Minneapolis Star Staff Writer

The future of the Minneapolis Regional Native American Center's adult education program is in doubt because the U.S. Office of Education has not allocated money for the program to continue.

But there's one ray of hope, said Ervin Sargent, executive director of the center at 1530 E. Franklin Av.: Some special federal legislation was approved this week by the House Education and Labor Committee.

The Minneapolis center's program, which serves more than 200 persons, was paid for last year by \$62,500 from the federal office of education under the Indian Education Act.

SARGENT SAID the program, which has been operating for a year, enabled about 200 adults to enroll in high school equivalency courses. Fifty-five received their equivalency diplomas last year, Sargent said.

However, Sargent said, he learned this week that the office of Indian education (a division of the office of education) received more applications this year than it did last year. Consequently, 20 Indian groups that received money last year won't be getting any this year, he said.

The legislation, which tentatively is scheduled to go to the House floor next week, would authorize \$2 million to enable 20 programs around the country to continue operating, according to Kenneth Fredgren, an administrative assistant to Rep. Berkley Bedell, D-Iowa.

(Bedell's office, along with the offices of Sens. Hubert Humphrey and Walter F. Mondale and Rep. Donald Fraser, all Minnesota Democrats, has been urging the U.S. Office of Education to continue supporting the Indian programs.)

FREDGREN SAID the legislation also stipulates that \$500,000 should



ERVIN SARGENT
Director of center

be made available immediately so that the 20 programs can continue operating until the \$2 million actually is appropriated.

Sargent said the Minneapolis center's adult education program staff includes a director, a secretary, two community resource aides and four or five instructors. The staff "will continue working for another week or two," Sargent said. "Then they'll be laid off until more money comes in."

The center, which opened May 4, 1974, provides recreation, manpower training, education and library services to Indians living in the Minneapolis-St. Paul area. The center's main educational budget of \$170,000 would not be affected by the office of education's decision.

MINNEAPOLIS STAR
D. C. 1974

AUG 5 1974

AUG 5 1976

BIA Ready to Audit Tribal Data

Journal Washington Bureau
Washington, D.C. — The Bureau of Indian Affairs (BIA) is ready to audit the books of the Lac Court Oreilles Indian tribe, the commissioner of Indian affairs told Sen. Gaylord Nelson Wednesday.

But Morris Thompson, in a letter to Nelson, said that if for some reason the bureau was unable to conduct the audit, it would help the tribe to develop procedures "to insure the integrity of the system to disperse federal funds."

Nelson, Rep. David Obey (D-Wis.) and Sen. William Proxmire (D-Wis.) had asked Thomas Kleppe, secretary of the interior, what the agency was doing to set up an accurate system to account for federal funds received by the tribe. The BIA is part of the Interior Department.

US Atty. David Mebane of Madison had recommended setting up a new accounting system after an investigation by his office and the FBI into allegations involving the misuse of federal funds on the reservation.

In his letter to Nelson, Thompson said the Lac Court Oreilles tribal chairman, Odric (Rick) Baker, had requested the BIA audit.

An auditor went to the reservation, which is near Hayward, Wis., the week of July 12, but Baker told him the records would not be ready for two weeks, according to Thompson.

"We are presently awaiting notification by tribal officials that the records are ready," Thompson told Nelson. "At that time we will perform the necessary work."

But he said that if the BIA auditor was unable to audit the tribal books, the BIA would help the tribe develop guidelines and procedures to

account for federal spending on the reservation.

Last February, Mebane called off an investigation because, he said, it was virtually impossible to determine how tribal funds had been spent.

"Indian tribes today receive funds from numerous federal agencies under a variety of programs, each with its own fiscal requirements and accounting procedures," Thompson wrote Nelson.

"We have no control over or authority to determine the accounting procedures for funds or programs of other federal agencies," he said. "We will, however, be happy to assist the band in any way possible to improve its accounting system upon request of the governing body."

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AUG 11 1976

AUG 4 1976

'Gorton, Parker Air Views On Indian-fishing Issue

P-I Southside Bureau
TACOMA — Atty. Gen. Slade Gorton said last night that Congress has the power to eliminate special privileges of treaty Indians and former State Rep. Mike Parker urged that Congress "buy back" the privileges.

Parker, in a speech at a joint meeting of commercial and sports fishermen, made no political references, but he said he would introduce such legislation if he is the sixth district, where elected to Congress from

he is seeking the Democratic nomination.

Gorton said the decision of U.S. District Court Judge George Boldt, granting treaty Indians 50 per cent of salmon and steelhead catch, was "unjust, denying equal rights under the law for every citizen."

"Because of a combination of race and the luck of an old treaty," Gorton said, treaty Indians can catch a disproportionate number of fish.

Parker urged that

Congress empower the government to purchase all off-reservation special privileges of all Indians in the nation.

"The social justice of buying back such privileges of all Indians is greater than continuing to allow a small number of Indians to exercise their treaty fishing privileges," Parker said.

Gorton quoted a statement from the Boldt decision that made it clear that Congress has the power to renounce treaties.



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Indians set to take their fight for rights to Congress, courtrooms

American Indians are ready to take their continuing battle for greater self-determination into the halls of Congress and the nation's courtrooms.

That was the clear message delivered by seven Indian panelists who spoke at a session of the American Bar Association Section of Individual Rights and Responsibilities, at Atlanta last week.

According to Alan R. Parker, an attorney for the American Indian Law Center in New Mexico, the government has forsaken its discredited policies of trying to force native Americans to assimilate into American culture and of terminating recognition of some Indian tribes (a policy begun in the 1950s).

Now, he said, Congress has begun to recognize that self-determination for Indian tribes is the right course of the future.

As evidence of this shift, Parker cited the work of the year-old congressional Committee on Problems of the American Indian, composed of three senators, three congressmen and five Indians.

He said the committee will recommend major revisions in the government's policies toward Indians—including amending the rules governing federal assistance programs to give Indian governments equal access with state and local governments to federal grants-in-aid.

The impetus for changing federal policies toward Indians has

come primarily from the Indians themselves, according to panelist Morris Thompson, commissioner of the Bureau of Indian Affairs. In response to demand from Indian governments, he said the BIA has sought to develop expertise which Indians need to deal with increasingly complicated issues of resource development, water rights and conflicting jurisdictions between state and Indian governments.

Several panelists underscored the importance of training more Indians as professionals, particularly as lawyers. "Indians now realize that they themselves must make decisions affecting their land and people," said

Thomas Fredericks, director of the Native American Rights Fund. "We must not allow the BIA or other branches of the federal government to be responsible for us. We have to look out for ourselves."

To demonstrate the in-

creased involvement of Indians in professional fields, Richard LaFromboise, president of the American Indian Law Student Association appeared on the panel. He announced that on recommendation from his organization, the ABA Law Student Division adopted a proposal to require all law schools in states with significant Indian populations to provide for some training—at least a course or seminar on Indian law. The proposal will be presented to the ABA Board of Governors for action.

Other panelists included Rodney B. Lewis, chairman of the Committee on Problems of the American Indian; William R. Rhodes, chief judge of the Gila River Indian Community in Arizona; W. Richard West Jr., a Washington, D.C., attorney; and moderator Richard Trudell, director of the American Indian Lawyer Training Program at the University of New Mexico.



Tribal business 'confused'

By FLYNN J. ELL
Of The Gazette Staff

Official Crow Tribal business since July 1 may or may not be official.

The protest of Chairman Patrick Stands Over The Bull's reelection May 8 still lies smouldering in federal district court in Billings.

Stands Over The Bull, who has been sworn in and working since July 1, said Wednesday that his opponents "haven't got a leg to stand on" and that he isn't taking seriously a suit filed in federal court.

But an attorney for a second slate of Crow officials elected June 12 said the suit filed July 23 is serious.

"If it wasn't serious, I wouldn't have filed it," said Billings Attorney Frank Kampfe.

Kampfe represents a second set of Crows headed by Jiggs Yellowtail, who claim they were duly elected following June voting, scheduled by the Crow election board after hearing protests.

Yellowtail won without opposition in a race which Stands Over The Bull ignored.

The suit charges that the Department of Interior through the Bureau of Indian Affairs has interfered in the Crow election process by overuling the election board of the Crow Tribe, a sovereign nation.

The BIA, acting on the advice of the solicitor in Billings, upheld the validity of the Stands Over The Bull election and ordered BIA employes not to participate in the second election.

"It is asserted that the Department of Interior cannot add what is not stated and cannot rely upon Anglo-Saxon law to affect or change the actions of the Tribal Election Board," the suit claims.

The suit further charges that the court should restrain the Stands Over The Bull administration from working pending a legal solution.

Because, "irreparable harm and injury will result; and that the validity of actions and activities of the Respondents (Stands Over The Bull faction) as such officers and on behalf of the Tribe will be in doubt."

The main reason the suit is smouldering instead of blazing apparently is hinged to District Court Judge James Battin's being on vacation.

James Canan, BIA area director, said Wednesday that he is "confused" by the suit because no summons have been served on any of the respondents including himself.

"We don't know officially that we are defendants in the suit," Canan said.

Canan acknowledged the legal action clouds business being conducted by the tribe, but he added, "I don't want to give the impression, however, that whole tribal system is in limbo."

Bud Fritzler, a Crow tribal member supporting the suit, said the reason summons haven't been issued is to save money.

Fritzler estimated \$100 would be saved by waiting until Battin returns and sets a hearing date before summons are served.

Fritzler, a construction worker and rancher, said his interest in the suit stems from a desire to see Crow tribal government operate on its own without interference from the BIA.

"It's stated in our constitution (approved by Interior Secretary) that they (the BIA and solicitor) are not supposed to interfere, yet they wrote words not in the constitution into their reply," Fritzler said of opinions dating back to the May 8 election.

Fritzler said he fears the Crow Tribe "will all go down the drain" if the tribe doesn't run its affairs in a "businesslike manner."

Kampfe said he hopes the matter will be in Battin's court by September prior to the next Crow quarterly council meeting in October.

Meanwhile, Chairman Stands Over The Bull said he is conducting official business normally and plans to continue to do so.

Blackfeet's neighbors resent Indians' special legal status

By CHARLES S. JOHNSON
Gazette State Bureau

BROWNING — An undercurrent of tension, rising swiftly as Indians and whites clash over jurisdictional issues, threatens to destroy the tranquility of the Blackfeet Indian Reservation.

The reservation, which forms the eastern border of Glacier National Park, is the center of complex disputes over law enforcement, taxation, fishing rights and other explosive issues.

These questions are by no means unique to the Blackfeet but confront Indians and whites near reservations across the country.

The complications arise from the unique status of Indian reservations because of federal treaties and laws. As a result, reservations deal nearly exclusively with the federal government and are all but autonomous from state and local governments, even though they receive some services from them.

As Barney Reagan, an outspoken white lawyer from nearby Cut Bank, said: "There is a serious question whether Indians living on reservations are citizens of the state of Montana."

Philip E. Roy, an equally brash Indian lawyer from Browning, doesn't see any question whatsoever. "Indians are not citizens of Montana," he said matter-of-factly.

Their opinions are typical of the gulf that separates Cut Bank and Browning, the two major towns in Glacier County. Although Indians and whites in both towns profess to get along well with each other individually, bitterness and animosity seem to be mounting.

Most knowledgeable observers agree that the jurisdictional disputes are potentially the most volatile around the Blackfeet Reservation, followed closely by the Crow Reservation in southeastern Montana.

Cut Bank, which bills itself as the nation's icebox because of winter temperatures that regularly plunge to the minus 30s, is the county seat, a farming and oil town. Most of its 4,004 residents are white, and some frankly resent the federal money that goes to the reservation.

Browning (population 1,700) is the heart of the Blackfeet Reservation, which an Indian brochure calls "a million-and-a-half acre Eden." But about the only sign of paradise in poverty-stricken Browning is the breathtaking view of the shiny mountains in Glacier Park.

After months of simmering, the jurisdictional problems finally bubbled over last fall when the Blackfeet Tribal Council passed Ordinance 50 asserting complete tribal authority over both Indians and whites for all civil and criminal offenses committed on the reservation.

Previously, jurisdiction was divided among tribal, state and federal law enforcement agencies and court systems, depending on the crimes and persons involved.

Many white landowners and a few Indians reacted angrily and called a press conference in Helena to denounce the ordinance as an abridgement of their rights. Reagan objected because "we can't vote there or serve on juries."

The Bureau of Indian Affairs eventually nullified the ordinance, but not before the battlelines had been formed.

The furor has subsided somewhat by now, but Earl Old Person, the flat-topped, soft-spoken Blackfeet tribal chairman, still wonders what the objections were.

"If they can try us by their laws, why can't they be tried by our laws?" he asked as he leaned back in his easy chair beneath a portrait of John F. Kennedy.

In Cut Bank, some believe the matter is far from over and rumors persist that the ordinance will be adopted again.

Most agree that something must be done to simplify the complicated law enforcement jurisdictional problems. Glacier County Sheriff Jean Gertzen said it is "a nightmare to know what to do and where to go."

Law enforcement has become a sometimes touchy subject in Browning and Cut Bank since 22-year-old Clayton Hirst, an Indian, was found dead, hanging in the Glacier County Jail in March 1975.

His death was officially ruled a suicide, but lawyers for his family, citing a later autopsy done for them by the San Francisco medical examiner's office, charge that Hirst was electrocuted and authorities tried to cover it up with a simulated hanging.

The family retained Roy and San Francisco trial lawyer Melvin Belli who filed a \$35 million damage suit in federal court against a number of state and local officials. No trial date has been set.

Most of those involved in the suit on either side declined to comment, but Gertzen, Montana's only female sheriff and one of a handful nationally, wasn't reluctant to speak.

Cont'd.

"The whole thing is just a fabrication any way you look at it," she said. "It's too bad it had to happen, but it was just one of those situations."

She called the lawsuit "a pain in the neck financially and emotionally" and said: "Even if we're cleared, people will say for years, 'I wonder, I wonder.'"

But there are other less dramatic jurisdictional disputes around the reservation.

Some Cut Bank residents resent having the county pay for the cost of providing services to the reservation when Indians are exempt from some state taxes. The result, they say, is higher taxes for the whites.

J. Riley Johnson, editor of the Cut Bank Pioneer Press, said the burden of paying for reservation services should be spread nationwide. "Why should little Glacier County foot all the bill for the Blackfeet Reservation?" he asked.

Old Person and other Blackfeet leaders blame Glacier County officials for refusing to cooperate.

"The tribe is willing to get together, but Glacier County isn't," said Leo M. Kennerly Jr., the reservation's planning director. "We've attended meetings in Cut Bank with the county commissioners, but they've never returned the courtesy by coming here."

A current hassle involves a state law requiring teachers at schools near reservations to complete a mandatory Indian studies course by 1979. The Cut Bank teachers oppose it, to the dismay of some Indians.

"It's just a one-course thing that orients you about Indians and reservations and how to react," Kennerly said. "If I

was a teacher going into a black neighborhood, I would want to learn a few things about it before I went there."

What, then, is the solution to all these various disputes?

As one might expect, no one much agrees except that it's really out of the state's hands. Gov. Thomas L. Judge appointed a state task force last year to study the jurisdictional problems, but it gave up after tribes at three of the state's seven reservations, including the Blackfeet, withdrew their support.

Old Person said the Blackfeet pulled out because the whites "put pressure on the governor" over Ordinance 50. "If these people who started up all this fuss had given the task force a chance to get on its way, it could have worked," he said.

Others are looking elsewhere for solutions.

"Until the Congress of the United States does anything, we're not going to solve it," lawyer Reagan said.

Sheriff Gertzen said the only solution is to abolish reservations.

A prominent Cut Bank resident, who declined to be identified, said Congress should provide that state law applies on reservations, while maintaining the federal protection the Indians now have.

Old Person said individuals in the two towns might be able to work out some of their differences if it weren't for the interference of some county officials.

Johnson said the question must be resolved soon by Congress or courts.

"If they want to set up the reservation as a separate area, fine," he said. "If they want to integrate it, fine, but let's quit fooling around."

Some whites privately blame Roy for inciting the Blackfeet, and his blunt views undoubtedly offend some.

"The cry is raised by non-Indians that Congress must intervene and quit pampering the Indian," Roy said. "To that I would say poppycock. The law is settled in 95 per cent of the cases."

The solution is not to "force state jurisdiction on the Indians" as some advocate but to settle the remaining issues in federal courts, where Indians have fared well, he said.

"The reemergence and resurgence of tribal authority is a reality that people who surround reservations have got to recognize," the lawyer said.

Too many fishers spoil the catch

Indians move first on salmon settlement

By XERPIA BORUNDA

The Chinook salmon have begun their fall run up the Columbia River spawning a mess of legal entanglements and leaving behind a lot of irate fishermen.

Although that situation hasn't changed with each salmon run for the past seven years, these days there exists cautious hope that it may soon be resolved. Signs are that all parties, including a federal judge, are anxious to end the wrangling and restore some stability to the lives and livelihoods of several hundred people.

Sports fishers, commercial ocean trollers, lower Columbia River gillnetters and upper river Indian treaty tribes all claim the fish. The allocation of the fish among them determines the means of livelihood for many and the way of life for all.

For the gillnetters to survive at all, though, some of the other salmon fishers will have to agree to give up part of their catches. This fall, for example, the lower river gillnetters have been squeezed more than usual between the ocean fisheries and the federal allocation for the upper river treaty tribes. Gillnetters fish inside the Columbia River. Their boats are smaller than ocean trollers and they use smaller nets from the sides of their boats, instead of setting nets at fixed points in the river, as the Indians do farther upstream.

The August season for gillnetters was only seven days, and any September season will be late in the month and will depend on actual counts of fish over Bonneville Dam.

Adding to the frustration of the gillnetters this season were reports of exceptionally good catches from the commercial ocean trollers and for the ocean sports fishers. Yet even with a seven day season, the gillnetters' catch was only about 28,100 fish, less than one third of last year's, according to preliminary figures from Oregon's Department of Fish and Wildlife.

Basically, given the federal treaty requirements for fish for Indian tribes, almost all of this summer's non-Indian salmon went to the trollers, according to Fred Cleaver, program director of the Portland office of National Marine Fisheries. This is why the gillnetters are in such a bind.

Cleaver points out that the ocean fisheries comprise 80 per cent of the catch of Columbia River fall Chinook salmon and that those taken in the ocean are often smaller than those caught in the river. He scoffs at the idea of managing a resource on a first-come, first-served basis—which, he says, is exactly how the non-Indian salmon are being allocated.

"If you tried to run the national forests on a first-come, first-served basis," Cleaver says, "it wouldn't

take too many years before there wouldn't be anything left but Christmas trees, since Christmas tree cutters are content with the smallest trees."

Vince Miller, a gillnetter from Naselle, Wash., agrees and adds, "The ocean fishery takes all sizes of fish. In the river, we get only those that are prime."

Certainly the commercial ocean troll has more vessels than ever before. The number of Washington state-based trollers has tripled within the last 25 years (from 1,300 to 3,300), while the Oregon troll fleet has quadrupled (500 to 2,000).

But other gillnetters point out that the ocean sports fishery has mushroomed, too. According to Jack Marinovitch, a spokesman for the Columbia River Fishermen's Protective Union, "You wouldn't believe the number of charters (boats hired for sports fishing) coming into the ports." Marinovitch admits that it's difficult for a gillnetter who may be trying to earn a living as a fisherman to have his fishing season end while the sports season continues.

Ted Bugas, head of Barbey Packing Co. in Astoria, says the sports fishers are taking a "good and growing percentage" of the fish. Up until Aug. 12, he says, Washington sports fishers had taken 112,000 Chinook and 393,000 Coho salmon. Bugas, whose Barbey Packing is a major buyer of commercial troller and gillnet catches, says there are plenty of salmon for those fishermen. It's the up-river Indians who are getting too many fish, according to Bugas.

"It's time to take a realistic look at the Indian treaties," he asserts. "They just shouldn't get superior treatment."

"It's true they didn't build the dams that cut off the fishes' spawning grounds. But neither did the gillnetters," Bugas adds. "And the departments of fisheries are doing a damn poor job of management."

The problems of the Indian fishery on the upper river and the terrific loss of the salmon's spawning territory, either totally as above Grand Coulee Dam or only partially as above Little Goose Dam, tend to compound and confuse the lower river problem. (See *Willamette Week* for the week ending May 3, 1976.)

As this year's fall Chinook run milled around at the mouth of the Columbia—salmon take some time to gain their sense of "homing" as they pass from salt water into the river—the process of allocating those fish had already started. And as gillnetters, who say their way of life is at stake, fought for a larger share of the fish, litigation piled on litigation.

Early last week, in U.S. District Court, an exasperated Judge Robert C.

Belloni called all the user groups together and told them:

"Twice this year this court has been placed in a position where it has had no real choice but to order the states to do something they already intended doing, or at least what they knew the law required them to do."

"I have always believed that this problem is one which cannot be solved by court procedures alone. It can only be solved by people of good will who want to solve it."

"I am asking for a wholly new attitude of the parties and the lawyers. Let's move from confrontation back to cooperation in solving this problem."

The events leading to Judge Belloni's appeal for cooperation read like the script for a Keystone Cops movie:

• Aug. 3. At a meeting of the Columbia River Compact Commission the gillnet season was set for 10 days. This vote overrode the recommendation of the staff for a five day season, which would still allow the Indians their share of the up river fish.

• Aug. 6. Sidney Lenzak, U.S. attorney, filed an injunction in U.S. District Court asking for a total ban on all fall Chinook salmon fishing until the compact could come up with a plan that would protect Indian fishing rights.

• Aug. 10. Judge Belloni signed a temporary restraining order for a 3-day gillnet season.

• Aug. 11. The Columbia River Compact Commission voted a 3-day season to comply with Belloni's order.

• Aug. 13. Clatsop Circuit Judge Thomas F. Elson enjoined the state from closing the gillnet season in a temporary restraining order.

• Aug. 15. Belloni ruled that the Clatsop County action was invalid. It was at that ruling that he called for cooperation.

• Aug. 16. The upper river Indian tribes, the Warm Springs, the Umatilla, the Nez Perce, and the Yakimas responded to Belloni's request by asking for two more fishing days for the lower river gillnetters. The compact approved and Belloni signed the order.

If there is a sense of *deus in* about this sequence of events, it's because many of the same actions took place during the run of the spring Chinook salmon. In fact, the same sort of hassling has gone on practically every time the salmon have run since Judge Belloni's first decision protecting Indian rights in 1969—seven years ago. The change this time was the Indian gesture of cooperation.

That gesture, coupled with the frustration and the instability of the existing situation, may finally lead to a willingness among the user groups to reach a settlement. If they do each must forego some measure of self-interest, whether it be greed, pride or self-righteousness.

The gillnetters say they have little left to give, although one result may be a cutback in their numbers. The profitable commercial ocean troll may have more limitations placed on it. The Indians may be willing to offer more compromises. And, finally, the sports fishers may have more limitations placed on both the number of days and the number of fish available to them.

For now, the Indians have made the first move. Dennis Karnoff, attorney for the Warm Springs Tribe, says, "We felt that a gesture of good faith was required and we hope that all user groups are ready to be a part of the solution."

Gillnetter Marinovitch says, "We are definitely ready to do our part. If the rules are even half way fair we can live with them."

And John Donaldson, Director of Oregon's Department of Fish and Wildlife, who inherited this hot potato when he assumed that office in July, says, cautiously, that he is hoping for a "discussion table," and that all parties are ready for a settlement.

Saticum gets a week's grace

⁶²⁴⁷⁸
Bob Saticum has been given an additional week to reach an agreement with the Puyallup Indian Tribe on posting a compensation bond or removing buildings he has occupied on the tribe's land.

The extension was granted yesterday by United States District Judge Walter T. McGovern. Saticum owns the structures. The judge earlier ruled that Saticum had unlawfully occupied the lands.

A trial will be held later on the tribe's contention that it should be given title to the buildings.

The Seattle Daily Times
D. 247,540 SUN. 306,612

AUG 20 1976

AUG 21 1976



by
**John
Voorhees**

Television editor

Great Scott:

Channel 9 is also searching for money for its projected Images of Indians series, dreamed up by producer Robert Hagopian in conjunction with Phil Lucas of United Indi-

ans of All Tribes Foundation. The premise behind Images of Indians is to use movies and documentaries from the past 70 years to show the changes in stereotypes of native Americans on the screen, how they affect most people's conception of Indians — and how they also affect Indians' own emotions.

Dr. Richard Meyer has announced that N. Scott Momaday, Kiowa Indian and Pulitzer Prize-winning author for his book, "House Made of Dawn," has been chosen to write the pilot script for Images of Indians. Momaday is at work with Hagopian and Lucas screening the films that will be the basis for the pilot and the 12 other programs in the projected series.

However, unless \$100,000 is raised from corporations, foundations or individuals, the series is not likely to get beyond the pilot stage. The Lilly Endowment has provided funds for the pilot but the series is ticketed at about \$200,000. The National Endowment for the Arts has announced an \$100,000 grant for the venture but getting the money is dependent upon Channel 9's raising matching funds.

Is this the most interesting series anyone can come up with in rela-

tionship to Indians today? Isn't everyone already aware of how false the stereotypes in movies were? What particular purpose will be served by dredging this all up again?

Rocky Mountain News
DENVER, COLO.

D. 214,490 SUN. 236,903

AUG 19 1976

Honor the treaty

Editor: This is in reply to J. Harvey Rester's letter of Aug. 14 ("Forget the treaty") concerning the Ute Indians' request to hunt free of state restrictions.

A treaty with the United States government, regardless of its age, should be regarded as a solemn promise between the people of a great nation and a people who were forced to give up almost all they had so that this great nation of ours could come into being. The right of the Ute Indian people to hunt, unrestricted, on their

own land should be honored.

The Indian peoples (over 300 separate tribes) were the most ecological-minded race ever to populate a great continent. The idea that a small tribe of Indians would destroy our game resources for future generations is ridiculous. Surely, the Utes will work hand in hand with the Fish and Game Department to assure an ample supply of game.

It must be taken into account that many of these Indians are poverty stricken, and the game they hunt is necessary to their survival.

The history of this country's broken treaties with the Indians is disgraceful. It is about time that the United States honored its promise to the Utes.

DAVE GARFUNKLE
Denver

AUG 27 1976

Indian tribe files suit to recover 16,000 acres of land on Cape Cod

A Mashpee Indian tribe filed suit in US District Court yesterday claiming it is the legal owner of all the land in the town plus a portion of Sandwich.

The Wampanoags want the court to return 16,000 acres of prime Cape Cod land to the tribe. The Indians said they are not interested in evicting any permanent resident or recovering the site of Otis Air Force Base.

The class action suit names 146 land owners as defendants, claiming they are representative of the 1500 land owners in the area.

Attorney Barry A. Margolin of the Native American Rights Fund, who filed the suit, said there are about 500 members of

the tribe in Mashpee and about 1000 on the Cape.

A similar suit was filed in US District Court in 1974 by Wampanoag Indians on Gay Head seeking to recover a large part of Martha's Vineyard. No trial date has been set in that case.

The Mashpee suit claims the Wampanoags were in possession of the land in 1790 when the Federal Indian Non-Intercourse Act was passed barring state from confiscating Indian tribal lands without Federal approval.

Mashpee initially was an Indian plantation, then an Indian district, and Margolin claims the state illegally converted it to a town.

According to the suit, in

1665 "the sachems of the tribe were granted the land in perpetuity, "Never to be sold . . . but preserved from generation to generation."

Similar suits have also been brought by Passamaquoddy Indians in Maine and Narragansett Indians in Rhode Island.

Most of the land the Mashpee Indians are seeking is woodland. They disclaimed any interest in two small necks known as Seconsett and Monomos-cog. However, they said they want 100 acres in Sandwich which the tribe claims was originally part of their aboriginal territory in Mashpee, and was annexed illegally by Sandwich.

The Dallas Morning News
DALLAS, TEXAS
D. 261,042 SUN. 311,530

AUG 22 1976

Aid

Grants awarded

AUSTIN—Eight Texas school districts will receive \$89,662 federal allocation designed to improve services to American Indian children during the 1976-77 academic year.

The grants, funded under the Indian Education Act of 1972, may be used to support vocational-industrial, mathematics, or language arts instruction; special services for the handicapped; medical examinations, psychological

examinations, food and clothing, or social work services.

Individual grants to the Texas schools average \$82.71 per child, according to Dr. W.N. Kirby, Texas Education Agency director of federal funding.

These funds may not replace money now being spent to education educate American Indian children but must supplement current services, Kirby points out.

AUG 19 1976

Job-Skills Bank Now In Operation

A Job-Skills Bank is currently operating on the Navajo Reservation under the sponsorship of the BIA Branch of Employment Assistance (career development). According to Mark LaFollette, Navajo Area employment assistance officer, this system was initiated in response to a need for better employer and job seeker information sharing throughout the reservation.

The system was developed through a contract with ACKCO, Inc., an Indian consultant firm out of Boulder, Colo.

The primary objective of the Job-Skills Bank is to match skills and interests of job-ready clients (those who have been screened through BIA career development centers) with employer's needs. Career development centers are located in the five agencies on the reservation as well as Leupp, Page, Kayenta, and Holbrook, Arizona; Gallup and Farmington, New Mexico; and Bland-

ing, Utah. At these career centers, diagnostic testing and counseling services are available from trained staff. The services are aimed at identifying achievement levels, interests, potential, and assisting persons in their selection of a career.

In addition, resources are available to provide transportation, tuition, subsistence, books, lab fees, housing assistance, etc., for persons to pursue their career choice.

Additional goals of the Job-Skills Bank effort are:

1. Reduce duplication of resources and efforts in job development and job placement.
2. Establish a central office where inter-agency and intra-agency job and client information can be processed for disbursement to participating entities.
3. Make available training and employment trends and data needed for planning purposes.

4. Improve communications between various manpower services and employers located on and near the reservation.

5. Provide a means in which the full employment potential of Indian people will be realized.

Responsibilities of the central office, which is located in Window Rock, include monitoring, providing technical assistance to field offices (agency and suboffice), planning, reporting, liaison, with other agencies, and evaluation. The agencies and suboffices are responsible for all client services including referral and follow-up resulting from a successful central office match. They are also responsible for development of jobs.

The system is presently experiencing some minor difficulties in the initial tags, however, with some refinement and expanded utilization optimum matching of jobs with job seekers should result. Future utilization will include joint coordination of the system with the Navajo Tribe's Employment and Training Administration.

AUG 25 1976

Albuquerque Tribune

By SUSIE GRAN
Tribune Staff Writer

New Mexico is trying to get its hands on thousands of dollars in cigarette taxes it can't now collect.

Fred O'Cheskey, commissioner of the Bureau of Revenue, said New Mexico has joined the State of Washington in its push for federal legislation to prevent tax-free imports of cigarettes from one state to another.

"The key in federal legislation is to control cigarettes coming into the state," O'Cheskey said.

WASHINGTON LOST \$7 million last year because it cannot collect taxes on cigarettes sold on Indian land.

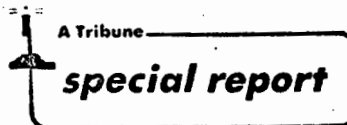
"Our loss is relatively small compared to Washington's," O'Cheskey

Sandia Indian oasis costs state thousands

Cigarette tax is a smoky issue

said. "I'm aware of three or four places with fairly sizable volumes."

The non-taxed cigarettes are available at prices ranging from \$3.50 to



\$3.75 a carton at such places as Bien Mur north of Albuquerque and Jack's Smoke Shop on Fourth NW, both on the Sandia Indian Reservation.

This is even less than the wholesale price in New Mexico of \$3.93 to \$4.03 a carton. The retail price ranges generally from \$4.20 to \$4.49 a carton.

The cigarettes are even cheaper on military bases where neither federal

Cont'd.

nor state taxes collected. They sell from \$2.50 to \$3.45 a carton there.

ALTHOUGH O'Cheskey said he has no idea how many cigarettes are being sold on Indian land in New Mexico, he is almost certain the cigarettes are brought into the state from Washington and Oregon.

"Our success will be in limiting the ability of these people to cross state lines," he said.

His bureau has no power to enforce tax laws on Indian land although it can collect tax from non-Indian purchasers.

But O'Cheskey said enforcement options against the non-Indians are not workable.

"A FEW YEARS ago, we tried controlling sales of untaxed cigarettes by

setting up roadblocks to stop the buyers on their way out," he said.

"Before it was over, the bureau was in real trouble. Tourists were upset, we had all kinds of complaints. I don't know if roadblocks would solve much of the problem, especially if we tried to set one up at every exit from these places and had to pay an agent \$10,000 each a year to inspect every car.

"I don't think we could pay for that kind of thing with the taxes we would collect," O'Cheskey admitted.

O'CHESKEY AND others in his bureau hesitate to discuss the problem because they believe publicity will encourage even more sales on Indian lands.

Wholesalers agree but are obviously displeased.

"It's a hot potato," said E.A. Phillips,

president of Philmar Distributors, one of two cigarette wholesalers in Albuquerque.

"The bureau has taken a stand not to give the problem any publicity, and we're lying low."

The sellers — in no uncertain terms — refuse to discuss their cigarette business.

BILL ADAMS, OWNER and operator of Bien Mur, said, "I don't want anything written. There's a controversy between the Indians and the state right now and it (a comment) wouldn't contribute to the Indians although any other time it would be advertising you couldn't buy."

He refused to say how many cigarettes he sells at his trading post and

would not allow pictures to be taken of his cigarette counter.

"If you want a story," he said, "go out to the air base."

A CLERK at Jack's Smoke Shop also refused to disclose the volume handled but said cigarettes "go out pretty good." The store sells only cigarettes and was raided a few years ago by Bureau of Revenue agents who later admitted the raid had been a mistake when they learned the store is on Indian land.

"We confiscated 22,000 cartons and closed down the shop," said Marilyn Panagakos, assistant director of the bureau.

An attorney for the bureau calls the cigarette sales "legalized bootlegging."

VERNON HENNING said the bureau has very little information about businesses on Indian land.

"There might as well be a Berlin Wall separating us from the reservation sellers," Henning said. "None of them is in the mood to cooperate with us and it doesn't do a helluva lot for the state."

"We have no idea what's going on. We don't know the volume they handle but we have information the cigarettes are being brought in from Oregon by an Indian. No one involved is letting any state authority know what's going on."

BILLINGS, MONT.

GAZETTE

D. 44,000 SUN. 56,000

AUG 14 1976



URBAN BEAR DON'T WALK gets fellowship

Indian lawyer on new route

Urban Bear Don't Walk, Billings, was the recipient of a two-year fellowship grant from the American Indian Law Training Program in Oakland, Cal.

One of five Indian lawyers in the country who were awarded the fellowship, Bear Don't Walk said the program is designed so Indian attorneys can enter private law practice and become self-sustaining.

"Very few Indians who have law degrees actually go into private practice," he said, adding, "many of them enter the federal or tribal government, or teach."

The program is designed so that Indian lawyers can serve Indian people who are in need of legal service and cannot afford it, or Indian organizational bodies such as the Montana Inter-Tribal Policy Board and the Billings American Indian Council.

Bear Don't Walk said Indian people from the Crow and Northern Cheyenne Reservations are also included in the program. "We try to locate on or near a reservation because it is very difficult to practice law from a distance," he continued.

The Indian attorney said, "I can help the tribal governments at their request, but they usually get their own lawyers and pay them well."

The four other recipients of the fellowship are located in California, Oregon, the Hopi Reservation in Arizona, and the Navajo Reservation in Arizona and New Mexico.

AUG 19 1976

Indian rights favored by Supreme Court

By Doug Stone
Staff writer

The U.S. Supreme Court in the last four years has almost always reversed state court decisions restricting Indian rights, an Indian attorney said here Monday.

Thomas Fredericks, director of the Native American Rights of Boulder, Colo., said that in all but two of 14 recent cases, the Court has ruled in favor of Indian rights and against state courts.

"That shows what kind of justice Indians get in state courts," he told a seminar on "Law and the American Indian" at the annual meeting of the American Bar Association.

Fredericks said an important example is the Bryan decision in June, in which the Supreme Court reversed a Minnesota Supreme Court decision and said that Indians on the Leech Lake Reservation could not be taxed by the state. The dispute arose when local authorities tried to collect real estate taxes on a mobile home owned by an Indian family.

Fredericks called the Bryan decision a "reaffirmation" of the principle of sovereignty for reserva-

tion Indians, who maintain that federal laws and treaties give them the right to govern themselves without government interference.

He said in an interview that state courts have often interpreted unclear laws in favor of state governments while the Supreme Court and lower Federal courts are more likely to "look at treaties as Congress intended them."

Minnesota officials have said in light of the Bryan decision that the state cannot tax Indians who live and work on the reservation, including the imposition of cigarette tax. Fredericks and other attorneys who represent Indians said the Bryan decision will be used to buttress the Indians' fight to achieve sovereignty in other areas such as zoning regulations.

Fredericks said Indian tribes, particularly in the Upper Plains and Western states, are "being confronted with an all-pervasive crisis threatening their natural resources." He said tribes need the assistance of outside technical experts who could help them make decisions about coal and water rights because they could not rely on either the government or the utility companies to help them.

AUG 19 1976

BIA needs overhaul, Dem claims

CHINLE — The Bureau of Indian Affairs needs an overhaul, a Democratic candidate for the U. S. House from District 4 said Wednesday.

Craig E. Davids, Arizona House minority leader, told the Navajo Tribal Council, "For too long, the initials BIA have stood for 'Bungling, Ineptness and Arrogance — the three attitudes which best characterize this agency's dealings with native Americans.'"

The BIA is supposed to be the "advocate, not the adversary, of the Indian peoples," he said.

Davids said if elected he would work to raise the BIA's status to "at least" subcommittee level and to make its director an under secretary in the Interior Department.

He said a concentrated effort should be made, with a push from Congress, to bring more Indians into upper and middle level positions within the BIA and urged that as much decision-making power as possible be given to tribal councils.

Demanding that the BIA be reassessed as well as reorganized, Davids said he would take the lead in forming a coalition of congressmen who represent districts with significant Indian populations.

Davids' primary opponent is Democrat Tony Mason, a Phoenix lawyer.

AUG 19 1976

U.S. is given livestock case

The U.S. Bureau of Indian Affairs announced Wednesday it has referred to Washington a case of apparent conflict of interest in the sale of U.S. government livestock in northeastern Arizona.

W. D. Baker of Joseph City, a BIA contractor, has acknowledged that since April he has auctioned \$1.1 million worth of government livestock for \$905,000 to his own business partner and others with whom he has had private dealings.

The auction took place in White Cone, in the Joint Use Area around the Hopi reservation, where Baker buys Navajo livestock for the government, then on the same day auctions it. The sale has never been publicly advertised.

Larry Ware, BIA contracting officer at Albuquerque, said he referred the case to the Indian commissioner's office in Washington, following an article in The Arizona Republic which described the apparent conflict of interest.

"I have no comment on it," said Ware, who the day before had freely discussed the case and confirmed that his office was investigating to determine whether Baker was acting properly.

AUG 19 1976

Boldt Delays Sockeye Hearing

P-I Southside Bureau

TACOMA — U. S. District Court Judge George H. Boldt yesterday said he would give the U.S. State Department "one final opportunity" to make its wishes known regarding special sockeye salmon fishing privileges for six northern Washington treaty Indian tribes.

He postponed until Wednesday at 9:30 a.m. a hearing on whether such privileges, which had been ordered by him, should be continued or even expanded.

The judge made the postponement after Asst. U.S. Atty. Jim Waldo said Canadian members of the American-Canadian commission that regulates fishing for sockeye bound for the Fraser River in British Columbia hadn't made a decision on whether to recognize special privileges for the Indians in that fishery.

Thus, said Waldo, "The State Department doesn't have a position yet."

Boldt commented that relations with Canada "go far beyond the importance of this single fishing matter before us," and that his long experience on the bench has conditioned him to "governmental agencies using an extensive amount of time to reach conclusions."

Boldt added, "Nevertheless, the State Department must come to a conclusion."

AUG 19 1976

Tribe Halts Oil Action Once Again

Attorneys for the Swinomish Indian Tribe agreed in federal court yesterday to postpone for another week the tribe's threat to shut off two oil pipelines that it says are on tribal land in Skagit County.

A temporary restraining order, issued by U.S. District Judge Donald S. Voorhees August 10, was due to expire today. But lawyers for the tribe and Olympic Pipe Line Co. and Trans Mountain Oil Pipe Line Co., which obtained the order, agreed to the week's delay to give the judge time to rule on a motion for an injunction extending the order.

Tribal officials served notice on the pipeline firms August 9 that the tribe would close the pipelines' valves the next day, claiming the lines trespass across tribal tidelands near the Swinomish Slough. Company officials contend that they have valid easements and that the pipelines don't cross Indian-owned land.

WILLIAM S. BELLONI
PORTLAND, OREGON
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AUG 17 1976

Indians agree to give gillnetters two more days

By ROBERT OLMOS
of The Oregonian staff

U.S. District Judge Robert C. Belloni Monday signed an order extending for two days the fall Chinook salmon gillnet season on the lower Columbia River.

The season was extended from 6 p.m. Monday through 6 p.m. Wednesday.

The extension was officially approved Monday afternoon by the Columbia River Compact, made up fishery officials from Oregon and Washington, in an over-the-telephone vote.

Attorneys representing Indian tribes said the tribes agreed to the compromise season because they realize the drastic effects a shortened season would have on gillnetters.

U.S. Atty. Sidney Lezak described

the agreement to the court as "an historic accommodation."

He said the resolution had been reached only after "a great deal of give and take" in meetings between the parties involved since late Sunday afternoon.

The meetings followed a hearing at which Judge Belloni ruled that restraining orders issued by state judges in Astoria and Washington on the fishing matter were invalid.

The restraining orders would have had the effect of opening up the gillnet season against a halt called by Oregon and Washington fisheries authorities.

The state orders were dissolved late Sunday evening, the court was told Monday.

Lezak said the extension will allow gillnetters the opportunity to catch an

estimated 20,000 additional fish, giving them a "chance to recoup their losses."

Gillnetters, in a complaint filed with Clatsop County Judge Thomas E. Edison last week, contended that reduction of the season from 10 days to five would cost them more than \$1 million in lost income.

Lezak said that a condition of the agreement would be that gillnetters refrain from fishing in the Columbia River during hours authorities have set as closed to fishing and that no non-Indian fishing be allowed during the period commonly referred to as the "upriver fish season."

Both James Hovis, representing the Yakima Indian Nation, and Owen Panner, representing the Confederated Indian Tribes of Warm Springs, spoke in court on behalf of their tribes, Panner

saying that he hoped the agreement was "the start of an era of good feelings" between Indian and non-Indian fishing interests.

Olney Patt, vice-chairman of the Warm Springs Indians, said following the court session that he hoped the action would lead to further discussion that eventually will result in "a long-range, comprehensive plan for managing the Indian fish resource."

In his remarks, Judge Belloni also referred to a plan that will allow a 50-50, Indian-and-non-Indian catch.

"It's nonsense, that such a plan, agreeable to all parties involved, cannot be worked out," he said.

He said he hoped the plan could be devised by next year so that the federal court will not have to consider the matter again next year.

AUG 18 1976

Hearing on Fraser R. sockeye run continued

By MARSHALL WILSON
Times Staff Reporter

TACOMA — A hearing to determine if a permanent order should be granted to allow Indians more fishing time on the Fraser River sockeye run was continued for a week today by United States District Judge George H. Boldt.

Earlier, Judge Boldt had issued a temporary order giving the Indians more fishing time so they would have a fair opportunity to compete with the larger non-Indian commercial fishing fleet.

The International Pacific Salmon Fisheries Commission, which has management authority over the Fraser run under a treaty between the United States and Canada, had set regulations allowing only two days of fishing a week, for Indian and non-Indian fishermen alike.

JUDGE BOLDT granted an additional three days to the Lummi and Makah Indian fishermen in conformance with his February 12, 1974, decision giving Indians the opportunity to catch 50 per cent of the harvestable salmon and steelhead returning to traditional off-reservation Indian fishing grounds.

The temporary order later was modified to allow the Indians a total of three days a week of continuous fishing with any type of gear.

Today's hearing was continued on a motion of Jim Waldo, assistant United States attorney, who said he has not received instructions from the State Department, which is discussing Judge Boldt's temporary order with the Canadian government.

A meeting scheduled between officials of the two countries in Ottawa yesterday has been delayed.

"It's pretty well established that no one has charged me yet with hesitating to determine any issue brought before the court," Judge Boldt said. "This matter, however, is of vital importance, affecting relationships between our two countries. I would be very hesitant to do anything which might unnecessarily (hurt that relationship).

"But things must come to a conclusion and I will grant one final chance for them (the State Department) to advise you," Judge Boldt told Waldo.

WALDO LATER told reporters the State Department is trying to learn the Canadian reaction to Judge Boldt's temporary order and how strongly the Canadians consider it a breach of the United States-Canada treaty on fishing.

Under the treaty, American and Canadian fishermen share the Fraser sockeye run and the International Pacific Salmon Fisheries Commission is responsible for managing the fishery which takes place primarily in the Strait of Juan de Fuca, the northern San Juan Islands and the Canadian Gulf Islands.

AUG 19 1976

Judge orders pipeline left on while he decides on injunction

United States District Judge Donald S. Voorhees has ordered the Swinomish Indian Tribe not to shut off an oil pipeline servicing refineries at Anacortes for at least 10 days.

By then, Judge Voorhees said, he would decide whether to issue a permanent injunction sought by the Olympic and Trans Mountain Pipeline Companies, owners of the high-pressure oil pipeline which crosses tidelands claimed by the tribe as part of its reservation.

After listening to brief arguments from both sides yesterday, the judge said he was reluctant to take on the case. But he said the court may have to rule on ownership of the property to keep the adver-

saries from "fighting it out on the tidelands."

THE TRIBE has threatened to shut off the flow of oil to and from the refineries because Olympic and Trans Mountain pay no rent for use of the tidelands. The Indians also say the pipeline poses a threat to the environment.

Olympic and Trans Mountain contend there would be risk of a serious oil spill if Indians shut off the valves, allowing pressure to build in the pipeline.

Dale Rammerman, attorney for the companies, told the judge: "There is a serious and good-faith dispute" over ownership of the tidelands, and the court could resolve

it.

Robert Pelcyger, a lawyer for the tribe, argued that Swinomish rights to the tidelands have been recognized "since President Grant." He said a lengthy court battle would extend the dispute unnecessarily.

"The longer these lines remain, the greater the danger (of accidental rupture)," Pelcyger said. "Does it take years to evict a trespasser?"

JUDGE VOORHEES told both sides he was inclined to issue a permanent injunction, pending a trial of the pipeline companies' lawsuit.

But he added that an injunction "would not solve the underlying problem, which is who has title to this land."

Break in State dispute on

By Ed Neal
Outdoors Writer

Indian fishing

That abrasive subject of Indian fishing rights in two of California's finest salmon and steelhead streams, the Klamath and Smith Rivers, is moving closer to solution.

Conciliatory moves by the Yurok Indians are turning the Klamath situation around, while an Aug. 5 ruling by the attorney general's office confirms the Indians have no special rights on the Smith.

This combination of factors could free California from the round-robin of court suits which have so foul the situation in Washington. One case, Washington vs. the Puyallup Tribe, has been to the U.S. Supreme Court twice, three times to Superior Court in Washington and now three times through the Washington State Supreme Court.

Taking the Klamath first, the problem goes back to April of 1975 when the Supreme Court ruled the lower river and a mile on either side—the 45 miles from the Hoopa Reservation to the ocean—was Indian territory.

San Francisco
Examiner's Office
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AUG 15 1976

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This meant the Indians could fish the river any way they desired so long as the fish was for their own use. State wardens were withdrawn from the "new" Indian lands, and things began to go sour. Some of the younger Indians went hog wild, openly selling salmon they netted.

As one Yurok complained recently, "there are as many whites as Indians using nets. Somebody has to put a stop to that or somebody might get hurt."

The situation grew so intolerable, as Director Charley Fullerton of the Dept. of Fish and Game put it, "the Indians came to us, asked, 'can you help us improve the situation, set up some kind of a cooperative management?'"

One meeting with the Indians already has been held with officials from the Bureau of Indian Affairs and the Justice Dept. sitting in. "Things look promising," said Fullerton.

As for the Smith River, that's another situation altogether. It started last month when two Indians openly announced they would use gill nets in the river, although they have yet to make good on their threat.

Prompt action by the Trout Unlimited Council of California and Fish & Game defused the situation as the two agencies appealed to the attorney's general's office for a on the river's status.

It came in a hurry. Deputy Attorney General Charles W. Getz IV confirmed "California does have the right to enforce its fish and game laws against California Indians fishing on the Smith River."

Explaining, Getz said "the land in question formerly was part of the Smith River Reservation, was terminated in 1868. Subsequently the land became part of the Smith River Rancheria, held in trust by the U.S. In 1958 Congress enacted legislation to terminate

certain California rancherias, including the Smith River.

"Since there is no reservation, rancheria or trust allotments, there is no 'Indian country,'" Getz concluded.

Bulwarked by the ruling, Fullerton affirmed "we'll take legal action if anybody goes ahead with netting in the Smith."

Getz' ruling drew an immediate "thank you" from Ed Henke, familiar to sports fans as the one-time 49er but in recent years an active figure in conservation. He's chairman of Trout Unlimited's legislative committee in California.

In his letter to the deputy attorney general, Henke said "we anticipate that an on-going, full review of the entire present and potential Indian fishing and hunting rights issue in California will be in order.

"We further desire that our action in requesting immediate answers and more direct, concise action will serve notice. . . we are dedicated to serving in the area of prevention. . . to inhibit an absolute fracture of such resources and not jump in after a total disaster has taken place. Let's be prepared with law books in hand and promote what is morally right, fair and just for all our citizens."

AUG 6 1976

Boldt's salmon order eases tension

United States District Judge George H. Boldt yesterday modified an order giving treaty Indian fishermen more time to fish for Fraser River sockeye salmon, thereby easing an impending confrontation with the International Pacific Salmon Fisheries Commission.

After hearing arguments over the telephone, Judge Boldt ruled that fishermen from the Makah and Lummi Indian Tribes will be allowed to fish continuously with any type of gear during the three days each week when fishing is open in waters administered by the international commission.

HE ALSO signed an order restraining the State Department of Fisheries from taking any enforcement action against treaty Indian fishermen.

The judge's order modified an

earlier ruling which said Indian fishermen should be allowed to fish five days a week. Under regulations set by the international commission, only two days of fishing were allowed. However, Judge Boldt ruled that the smaller Indian fishing fleet would not have a fair opportunity to harvest its share of the catch unless the Indians were given more time to fish than non-Indian commercial fishermen.

In response, the international commission amended its regulations to prohibit Indians from fishing during the same times as non-Indian fishermen were allowed. At the same time, it increased the number of fishing days from two a week to three.

THE INDIANS said they would follow Judge Boldt's order and fish five days a week despite the com-

mission's actions. The Fisheries Department, which has responsibility for enforcing the commission's regulations, said it would arrest Indian fishermen who violated the commission rules.

However, Judge Boldt's amended ruling yesterday will restrict the Indians to three days a week, in conformance with the commission regulations. Terms of the order allowing Indians to fish continuously during open periods and with any type of gear still will allow them some advantage to make up for the smaller size of their fishing fleet.

Frank Haw, assistant director of the Fisheries Department, said the compromise order was satisfactory to the department.

Bill Smith, executive director of the Northwest Indian Fisheries Commission, said Indian fishermen "were disappointed there had to be

a compromise, but we are pleased that the judge obviously agreed with our position that Indians should be allowed more time than that allowed by the International Pacific Salmon Fisheries Commission."

THE COMMISSION is made up of United States and Canadian representatives charged with managing the runs of pink and sockeye salmon returning to the Fraser River. The Fraser River runs are shared by fishermen of both countries.

In 1974, Judge Boldt ruled that treaty Indian tribes have the opportunity to catch 50 per cent of the harvestable runs of salmon and steelhead returning to traditional off-reservation Indian fishing areas. Under that ruling, Indians are entitled to half the American share of the Fraser River run.

Tribe Bows On Oil Turnoff

WG 277F
By NEIL MODIE

The Swinomish Indian Tribe bowed to a nick-of-time federal court order yesterday and didn't carry out a threat to shut off two oil pipelines that it says are on tribal tidelands in Skagit County.

Olympic Pipe Line Co. and Trans Mountain Oil Pipe Line Co. hurriedly obtained the order after the Swinomish Tribal Community served notice on them Monday that at 1 p.m. yesterday, tribal representatives intended to close the valves of the pipelines.

U.S. District Court Judge Donald S. Voorhees issued the temporary restraining order a few hours before the threat was to be carried out, and a copy was served on tribal leaders just 12 minutes before 1 p.m., accord-

ing to Dale B. Ramerman, an attorney for the companies.

Ramerman said one of the defendants in the newly filed lawsuit, Swinomish Indian Senate Chairman Tandy Wilbur Jr., "told us they would comply with the order."

The order prohibits the tribe from interfering with the pipelines at least before Aug. 19 at 5 p.m. Voorhees also issued an order directing the tribe to show cause Friday at 2:30 p.m. why the temporary order should not remain in force until after the lawsuit goes to trial.

The tribe contends that the pipelines cross tribe-owned tidelands on the west side of the Swinomish Slough north of LaConner. It has demanded that the companies either buy a 40-year right of way for \$100,000 a year or remove the pipelines.

The companies claim that if the Indian tidelands do exist, they're not where the pipelines are and they're not included in valid pipeline easements held by the two corporations.

Olympic's pipeline runs from Anacortes to Portland and Trans Mountain's line is from Canada to Anacortes.

The lawsuit against the Swinomish Tribal Community, its senate and tribal leaders, and police asks for an unspecified amount of damages as well as for a permanent injunction prohibiting the Swinomish from damaging or interfering with the use of the lines.

In the tribe's letter to the pipeline companies threatening to close the valves of the lines, Wilbur accused the companies of having "illegally used tribal lands for many years" and refusing to recognize the tribe's ownership of the lands in question.

Wilbur said the tribe's ultimatum was based partly on environmental concern — that if there ever was an oil spill, the strong flushing action of the slough waters would cause the oil to spread over a large area, severely damaging tribal fishing and drinking waters.

Wilbur said the pipeline valve shutoff would be supervised by "a competent engineer."

AUG 1 1976

Students Learn Indians' Ways

The students sampled Nanawishok (milkweed soup), Nanapun (Indian bread) and porcupine stew.

They learned how to peel bark from trees and fashion it into baskets and wigwams.

And they learned an Indian view of history that is seldom found in books.

These students spent four weeks this summer near Rhinelander, studying the history, language and culture of the Wisconsin Chippewa (O-

jibwa), Menominee and Potawatomi tribes.

The course, "Woodland Algonquins of Wisconsin," was co-sponsored by the University of Wisconsin System and Nicolet College and Technical Institute in Rhinelander. UWM administered the program.

Languages Studied

During four weeks of intensive study, the 24 students attended lectures on the phi-

losophy and history of the three tribes, music and dance workshops, and field laboratory sessions. They learned to build fire makers, punch drills and wigwams. They also studied the native languages.

Instruction was held at the Nicolet College Lake Julia campus, just south of Rhinelander. John Boatman, coordinator of the Native American Studies Program at UWM, said the course was an attempt to create a cultural bridge.

"But instead of the Indians walking into the European-American culture, it was the other way around . . . we thought it was time the European-American walked into the Indian culture," Boatman said.

And the experiences certainly were new. Judy Olsen of Cedarburg talked proudly of the wigwam she helped build.

"I Did 6 Trees"

"One day I did six trees," she said, referring to the bark she and a classmate peeled for the wigwam.

The wigwam was planned by Billy Daniels Jr. and his sister, Mary, both Potawa-

Cont'd

tomis. They and four other Indians, two each from the Ojibwa and Menominee tribes, were assistant instructors for the course.

Irene Mack, a Menominee who is an assistant to Boatman at UWM, said the class offered an opportunity for students to cross barriers. She added that the course gave students an opportunity "to understand us, to learn why we disagree with all the history books that have been published."

Ms. Mack recalled some of her own early experiences.

"Years ago when I was a little girl, the government used to issue rations once a month to families on the reservation," she said. "Often they weren't fit for human consumption. Sometimes the salt pork was green and slimy . . . In school, if we were caught speaking our language, we were punished severely."

Brenda Panawash, a UWM senior in anthropology, said she was impressed with the ability of the Indian people to relax.

"And the way the elders are treated, the respect for them, is really something," she added.

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Portland, Oregon
D. 245,152 SEP 4 1976

AUG 11 1976

How to allocate salmon harvest?

What is a "comprehensive plan" for management of the salmon and steelhead runs of the Columbia River required by U. S. District Judge Robert C. Belloni to give Indians above Bonneville Dam the opportunity to net 50 per cent of the portion of each run not needed for natural reproduction and hatchery replenishment? No one seems to know.

Judge Belloni's order cutting in half the 10-day commercial gillnet season established by Oregon and Washington was based on the states' seven-year failure to provide such a plan to the court. The injunction obviously discriminated against the lower Columbia gillnetters while commercial ocean trollers and charter boats, and sports fishermen both in the ocean and in the Columbia, are not so restrained.

Judge Belloni conceded that the non-Indian gillnetters were taking the rap, but he contended that no other course was available because the states had not assured a 50 per cent supply of the upper-river August run of Chinook by earlier restrictions, presumably a more severe restriction of ocean fishing than the Oregon Fish and Wildlife Commission and the Washington Department of Fisheries applied. He said he would rescind the injunction if the states presented a "comprehensive plan" satisfactory to the court.

The state agencies, acting as the Columbia River Fishery Compact, have made an effort to produce a comprehensive plan for the Columbia anadromous fish. It was considered briefly in January and not approved, apparently because it consisted of a series of options.

The Department of the Interior and its lawyers have flatly rejected the request of Oregon Atty. Gen. Lee Johnson that they draft a comprehensive plan. Judge Belloni reasserted that this was the obligation of the states. But he also admonished federal attorneys to reconsider and present a plan.

Obviously, if the second five days of the lower-river gillnet season are to be restored, wholly or in part, the Compact agencies need to present another formula, not necessarily for the year-around but for the August fishery. There will be a revolution, of sorts, if to save the gillnet season the commissioners offer to shut down the ocean fishing from sport and commercial boats at the peak of the August season for Chinook and the intermingled coho. U. S. Dist. Atty. Sid Lezak and attorneys for the four Indian

tribes had requested a closure of all non-Indian fishing, but Judge Belloni held that was unnecessary.

The problem is that a fish run cannot be computerized, as the Compact staff attempted to do in recommending a five-day gillnet season which the Compact commissioners stretched to 10 days. No one knows how large the August run will be or how a reservation of 50 per cent for the Indian fishery above Bonneville Dam can be determined in advance. If the run is large, as it is expected to be, and the gillnetters are cut back, there will be no way to recall the fish to the lower river after the Indians have caught their "fair share" in setnets.

The federal court has given no consideration, it appears, to the obligation of the state agencies to audit gillnet landings closely and to suspend the fishing if the run is below normal. The agencies have full authority to end or extend a season for conservation purposes or to comply with the court's 50 per cent ruling.

There is a way to estimate a run with a better degree of accuracy. That is to fish the run and compare the landings with those of past years. In 1975, the Indians fishing commercially above Bonneville caught a reported 122,300 adult Chinook salmon in their August-to-October season. In the Aug. 10-22 season below Bonneville, non-Indian commercial landings were 92,900 adult Chinooks. The August run consists primarily of upper-river fish, and has provided about 40 per cent of the annual non-Indian gillnet catch of Chinooks and coho.

This newspaper believes the federal courts have misinterpreted the treaties of the 1850s in ruling that the provisions assuring reservation Indians the right to "fish in common" with other citizens off reservations mean the right to catch 50 per cent of anadromous fish reaching historic fishing sites. Nonetheless, the court has a point in complaining that the states have not complied with the order to provide a comprehensive plan for the fishery.

Inasmuch as no one knows what this may be, it is essential that the state agencies, the government's lawyers and biologists and the tribal lawyers and council members make a common effort to meet informally and try to agree on a plan fair to all users. Management of a fishery by a federal judge is for the birds, not the fish.

AUG 7 1976

13 Indians Complete Seminary Training To Teach Own People

"This is a real turning point in the history of the Church regarding our Indian brethren and sisters," Joe J. Christensen, Church commissioner for seminaries and institutes, said last week.

He was speaking of the 13 new Indian seminary teachers who have just completed training this year and will begin teaching on reservations and in other predominantly Indian areas this fall.

Until now, there has been only one, full-time Indian seminary teacher in the Church, the commissioner said. This year will mark the first time 10,000 to 15,000 Indian seminary students will be taught by Indian instructors.

The teachers, who represent several different tribes, attended with their wives a three-day orientation conference in the Church Office Building July 27-29 during which they received counsel from several seminary and institute administrators and Church officials, including President Marion G. Romney of the First Presidency, Elder Boyd K. Packer of the Council of the Twelve, and Brother Christensen.

The teachers, who were all chosen on the basis of referrals and recommendations, were called to enter one of two training programs last fall. Some trained for three or four semesters at a special program at Brigham Young University and others trained in the field with full-time seminary teachers.

They will take over as area directors in Arizona, New Mexico, Utah, South Dakota, Montana and British Columbia. The Caucasian teachers who have been teaching in these areas will be placed in seminary teaching jobs elsewhere, Brother Christensen said.

"This program is consistent with the Church's overall philosophy of having seminary and institute teachers all over the world instruct their own people," the commissioner said, noting that the program fulfills the promise in Alma 29:8 that "the Lord doth grant unto all nations, of their own nation and tongue, to teach his word."

He said the Indian seminary

teachers program will be an on-going effort and more new teachers will be trained and sent out each year.

"Hundreds and thousands of young people will be reached as a result of your dynamic leadership," Commissioner Christensen told the teachers in his keynote address at the conference July 27.

He urged them to "avoid the very appearance of evil" and to have the conduct of a missionary wherever they go. "This is an historic period," he said, "and this movement won't be without opposition. We must be prepared to meet the adversary with power and strength."

The commissioner also charged the teachers to strive for unity in their families, wards and branches and to set a good example in their respective communities by being financially re-

sponsible and by keeping their homes and yards in order.

"If you do these things, you will have the power of the priesthood you possess through Jesus Christ," he said.

President Romney, who spoke July 29, reminded the group of the noble heritage they possess as Lamanites and descendants of the House of Israel. "I see in you the fulfillment of the prophecy (in the Book of Mormon) that the Lamanites wouldn't be destroyed," he said.

"You are the ones the Lord has raised up to publish peace to your people," he told the teachers. "You will make records that will last forever."

President Romney said the time has come when Lamanites will come into the Church in great numbers. "From this point on, Zion will grow among the Lamanite people faster than it has ever grown before."



AUG 18 1976

Navajo legal aide urges halt on mineral

By BILL DONOVAN

WINDOW ROCK — The director of a legal service agency on the Navajo Reservation recommended Tuesday that the tribe place a moratorium on new mineral development leases while tribal officials develop a taxation system.

Peterson Zah, director of the legal aid service on the reservation, said he believes a taxation system would take care of all the tribe's present financial needs, thus allowing the tribe to leave its natural resources for future development.

In past mineral leases approved by the tribe, said Zah, the tribe has accepted royalties instead of taxes. This system has proved to be unfair to the tribe, he said.

"The total amount of royalties the tribe receives from the companies is many times less than what the company pays in taxes to state, federal or county governments," Zah said in a letter to a member of the Navajo Tribal Council.

Arizona, for example,

leases until tax system is ready

receives about \$16.3 million a year from the Peabody Coal Co. operation at Black Mesa. The tribe, Zah said, receives \$1.4 million from royalties.

The Four Corners Power Plant, near Shiprock, N.M. pays about \$7.2 million in New Mexico state taxes each year. The tribe receives about \$1.4 million in royalty

payments on the coal from the Navajo Mine which powers the plant, Zah said.

He explained that the states tax non-Indian-owned business on reservations under existing state and federal laws.

None of the several hundred non-Indian-owned businesses on the reservation pay taxes to the

tribe, said Zah, although they "benefit from the programs and services provided by the tribal government."

All non-Indian businesses on the reservation must have a tribal permit, however, for which the tribe does receive revenue. In most cases, the tribe charges the busi-

ness 1 per cent of its gross.

"It is way past the time when tax dollars should come to Window Rock instead of Phoenix and Sante Fe," he said.

The tribal government is considering tax on business on the reservation. Earlier this year a tax commission was establish-

ed to make recommendations to the Tribal Council.

Zah noted that the council first approved creation of a tax commission two years ago. "The longer we sit and let the state governments steal our power, the harder it will be to collect taxes in the future," he said.

Indian justice changes

Chief tribal judge listens to human side

By ROBERT OLMOS
of The Oregonian staff

WARM SPRINGS — Most people are afraid to play the bad guy. But Irene Wells doesn't mind the part.

"Somebody's got to do it," she says.

Her remarks are in reference to the role she plays in the law enforcement and justice system of the Warm Springs Indian Reservation.

She is chief tribal judge and, as such, she is part of a thrust that is bringing new professionalism not only to the Warm Springs justice system but to those of other reservations across the country.

The new wave is developing from improved training projects for Indian judges, introduction of new twists to Indian judicial programs and an all-around stress on dispelling the attitude among tribespeople that, as Judge Wells puts it, "being part of law and order makes you a bad guy."

Mrs. Wells was working as a tribal enrollment officer when the 1965 death of Judge Coquille Thompson led her tribe to appoint her to a temporary judgeship.

"I later was made permanent chief judge and I stayed on the job until 1967, when I left to raise a family," said the mother of four (two of her own; two adopted).

She returned to the bench in 1973 to

face increased judicial responsibilities, some of them caused by new federally sponsored justice programs.

Under her authority today are court and public administrators, probate clerk, probation officer, tribal and Bureau of Indian Affairs juvenile officers and two associate judges who fill in when other business calls her away from the bench.

Judge Wells, a patient, thoughtful woman with a calm, unruffled manner, takes it all in stride. She should be accustomed to Indian justice procedures, coming, as she says, "from a law and order family."

Her grandfather, Fred Smith, and her father, Martin Sanders, served as chiefs of police on the reservation. So did an uncle, Woody Smith. And today her brother, Jeff Sanders, heads the 20-person police department.

Her educational background includes one year of pre-law at the University of Oregon and a special six-month narcotics course that she hoped would lead her into criminal narcotics work. Instead, her training led her through positions as a reservation juvenile officer and the enrollment officer job she held before she was tapped for judge.

She and other Northwest tribal court judges have taken part in Law Enforcement Assistance Administration

training sessions held in Seattle. The series of sessions, held last year and earlier this year, have been invaluable to her, she said.

"One of the biggest changes caused by the training is being reflected in the courtroom procedures. I believe we are getting more professional in the way we do things," she said.

This summer, two Indian law students interned at the reservation, bringing to the judge's courtroom, for the first time, defense and prosecution procedures.

The interns, sponsored by the American Indian Lawyer Training Program, were Cathy Wilson, 21, from Arizona State University, and Doug Hutchinson, 46, from the University of Utah, both first-year law students. They were adversary attorneys in a jury trial concerning a drunk driving case.

Ordinarily, defendants in the primarily misdemeanor cases that come before Judge Wells are represented by tribal elder spokesmen.

"Although our procedures are getting more modern, we still have to look at the human side of things when the older people appear in court. We have to remember how the old people were brought up and we can't always stress the letter of the law in those cases," the judge said.

Elders appear in court in cases involving their grandchildren, the judge said.

Many tribal members, the judge said, have "a lot of hangups" over the fact that she is judge and her brother is chief of police.

"They feel that because we are related that I will always swing the way of the police. But I do what I feel is right as a judge regardless of our relationship," she said.

The tribal court is located next to the police department.

"Next year we will be in larger quarters. The tribe is having a new administration building constructed and when that is completed the court will move into part of the old administration building. That will give us a chance to spread out a little more," the judge said, glancing at her crowded courtroom space.

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PORTLAND, OREGON
D. 245,132 SUN. 407,136

AUG 15 1976

The OREGONIAN
PORTLAND, OREGON
D. 245,130 SUN. 402,106

AUG 15 1976

Tribal court unique cog in patchwork system

WARM SPRINGS — The tribal court here is one of 114 Indian courts across the nation.

They generally handle civil and criminal misdemeanor cases, while state and federal courts hold major criminal trials.

In principle, tribes govern their internal affairs. In practice, jurisdiction is allocated among three governments — federal, state and tribal — which results in patchwork law enforcement by various agencies that can include the Bureau of Indian Affairs, tribal police, federal law enforcement units and state, county and municipal police.

In an effort to help the Indian judge — who is seldom a trained lawyer — administer this confusing jurisdictional tangle, the federal Law Enforcement

Assistance Administration has been funding a series of training programs totaling \$783,299 for Indian judges since 1971. The project is funded through the National American Indian Court Judges Association, created with the help of Arrow, Inc., of Washington, D.C., a nonprofit organization for the advancement of Indian Americans.

The seminars which helped Judge Irene Wells of the Warm Springs Reservation and other Northwest tribal court representatives were supported with those funds.

LEAA Administrator Richard W. Velde said the program endeavors to preserve customs and practices of specific Indian jurisdictions while assisting judges in developing a fair and equitable judicial system.

"We have seen many examples of the destructiveness of trying to uproot hundreds of years of traditional practices to replace them with another system that may be no fairer and could well fail in the Indian cultures," Velde said.

In the past five years, the Indian Court Judges Training Program has grown from training 42 judges to training more than 175 this year. The current series of instruction offers a mini law school education for the lay judges. They do legal research, write sample opinions, participate in moot court and listen to a variety of multi-media presentations dealing with law.

Some of the judges have been involved in the program since 1971 and Justice Virgil L. Kirk, Sr., chief justice

of the Navajo nation and president of the National American Indian Court Judges Association, sees a difference in the performance of those judges.

"Judges are speaking out more about the problems they experience," Justice Kirk said. "Trials of Indians on the reservation are much fairer now, more objective."

Justice Kirk believes the LEAA course provides Indians with a feeling of self-pride and that it helps them "begin to determine their own destiny."

"We want to prepare the Indian court judge to assume all judicial responsibilities that are given out. It is the only way Indian judges will ever be on an equal footing with judges outside the reservation," said Dale Wing, LEAA's Indian program manager.

AUG 22 1976

Big Cypress Reservation of the Seminoles: Trip back in time

By George Leposky

A STARTLED wood duck leaps from the saw-grass, gawks at the interlopers while hanging in midair, then wings away into the deep shadows of a cypress strand.

Water gushes over the floorboards. Its engine growling, the ancient Jeep labors and lurches through the muck. Jesse Osceola, great-great-grandson of a notorious Seminole Indian chief, strains at the wheel. Oversize truck tires spin, then bite.

Higher ground. Water only to the hub-caps now. Jesse wipes his brow, swats at a deerfly, then turns off the ignition.

At first there's only silence. Then the ear absorbs the wind, sighing through cypress needles. Against this background, soloists play: whining insects, herons crying in the distance, a slithering alligator.

AS THE CROW flies, you're 90 miles from the hotels and nightclubs of Miami Beach. You might as well be a million miles away — and a thousand years.

Jesse is typical of his people, proud and reserved. "I like it back here," he says. "It's always so quiet and cool under those big trees." You know he'd be roaming the swamp often, for love, even if he weren't a deputy sheriff and game warden responsible for patrolling the Seminoles' 43,000-acre Big Cypress Reservation.

The reservation is off the beaten track. Roads leading there aren't on most highway maps. Many people believe the 300-plus Indians who live at Big Cypress prefer it that way, to discourage outsiders from coming on their tribal lands.

Actually, tourists are welcome. The Seminole men are eager to earn extra spending money by guiding visitors through the vast swamp. The women make dolls out of cabbage-palm fibers and dress them in traditional patchwork tribal costumes. These and other handicrafts are sold in the settlement's two general stores. Some families still live in picturesque thatch-roofed dwellings called chickees which may be seen from the main road.

THE SEMINOLES talk of building a campground, but you can "rough it" along the banks of a canal if you have camping equipment. Regular gas is sometimes available, but there's not even a pump for premium. The reservation has no restaurant and the snack foods available in the stores are strictly "survival rations."

The nearest oasis is Clewiston, 42

miles away at the south end of Lake Okeechobee. This picturesque town of about 5,000 people has a Wild West frontier atmosphere. Cowboy boots and broad-brimmed hats are typical garb for the natives, and huge herds of cattle munch exotic grasses which thrive on the area's rich muck soils. Many of the cattle on Florida ranches contain a strain of Brahma, imported from India because of its ability to resist hot weather.

As the center of Florida's sugar cane industry, Clewiston is proud to call itself "America's Sweetest Town." During the fall harvest season, Jamaican laborers burn the cane the day before it is cut. This practice removes leaves from the stalks and debris from the fields, making the cutters' work easier. Lush crops of green beans, celery, okra, and sweet

corn also grow in the area's drained marshlands.

CLEWISTON ALSO is a miniature Venice, laced with canals and huddled beneath a huge flood control dike which keeps Lake Okeechobee on good behavior.

Okeechobee is a Seminole word meaning "big water." The lake covers 750 square miles and is the second largest body of fresh water in the nation. (Lake Michigan is the largest).

Lake Okeechobee is a mecca for boaters and duck hunters; for fishermen out after black bass, panfish, and catfish; and for bird watchers in search of the elusive Everglades kite. This fast-flying hawk is one of America's rarest birds because it feeds only on a species of snail found only in the Okeechobee region.

Clewiston's main attraction, though, is Old South Bar-B-Q Ranch, a restaurant/museum crammed with antiques. Owner Carroll Benson is proudest of his nickelodeons, one of which is a mechanical singing bird in a cage.

Cont'd



George Leposky Photo

Josie Billy, a Seminole Indian medicine man, poses with his wife at the Big Cypress Reservation in Florida.

reservations. Advance planning also is advisable if you want to fish on the Big Cypress Reservation. Write to The Seminole Tribe of Florida, Inc., 6073 Stirling Rd., Hollywood, Fla. 33024 to obtain permit information.

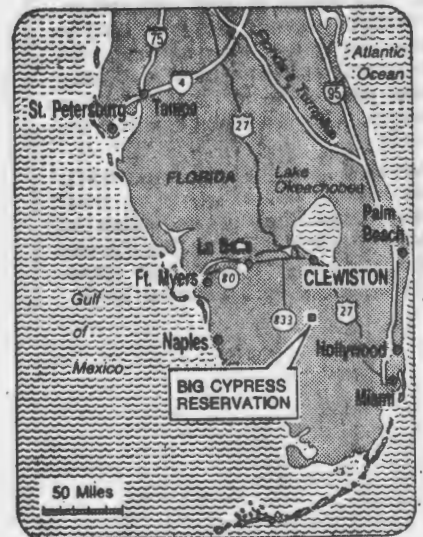
FINDING THE Big Cypress Reservation isn't too difficult. Though maps won't help, highway signs provide directions. From Clewiston, go nine miles west on U.S. Hwy. 27, then turn onto Fla. Hwy. 80, headed toward Le Belle and Fort Myers. At Fla. Hwy. 833, turn left (south) and follow the signs from there to the reservation. The trip from Clewiston to the reservation should take about an hour.

One word of advice about this excursion: Except in town or on pavement, you're in a wilderness. If you go off the beaten track, dress appropriately — which especially means a pair of canvas tennis shoes so you can get your feet wet in the middle of the swamp.

THE RESTAURANT'S atmosphere extends even to the parking lot, where life-size dioramas re-create the gunfight at the OK Corral, "Hanging Judge" Roy Bean's courtroom, and other frontier scenes.

Though Old South's decor is a zany put-on, its food is for real. In addition to barbecue, the menu features catfish fresh from Lake Okeechobee, served with hush puppies so good you'll want the recipe. It's available.

Clewiston is about a two-hour drive from Miami and Palm Beach on the Atlantic Coast, or from Fort Myers and Naples on the Gulf of Mexico. It's a good one-day excursion from either coast, but the Clewiston Chamber of Commerce can help you make motel or campground



50 Miles

Tribune Map

AUG 15 1976

Indian lexographer preserves native tongue

By LAWRENCE SHOOK
Women's News Service

PLUMMER, Ida.

Lawrence Nicodemus, a Coeur d'Alene Indian who lives at Plummer, Ida., is a medicine man, scholar, lawyer, linguist, "charismatic Catholic" and loner.

Nicodemus doesn't care for titles. But if he did, and if he hung a shingle over his door, he would now have to add another title: Lexographer.

With the publication last August of his two-volume Coeur d'Alene dictionary and accompanying textbook, he joined the elite profession whose illustrious members include Noah Webster, Funk and Wagnall and a long-deceased Cherokee named Sequoya.

Using language experts as consultants, Nicodemus wrote his dictionary and textbook in the modern mode — a la Berlitz — complete with a coordinated cassette tape series. Now, for the first time, the Coeur d'Alenes can learn to read and write in their own language.

Not since 1819, when Sequoya completed the Cherokee Syllabary, has there been a similar act of scholarship; linguists and scholars are now saying Nicodemus' work represents the most complete American Indian language approach ever taken.

BUT NICODEMUS doesn't give a straw about that. What he cares about is that the program might save his people's cultural heritage from going the way of the passenger pigeon, as has happened to so many tribes.

"I wrote the books," he says, "because I thought if the Coeur d'Alenes lost their language, they wouldn't know what they really are."

Nicodemus has spent most of his life worrying about Indians. "They go off to the cities and become urban Indians," he complains. "They forget their ways."

He says without language the only identity Indians have is their skin color.

His fears are supported by evidence; scholars estimate that five or six Indian cultures slip into oblivion each year with the death of elders who were final keepers of the linguistic flame.

The Coeur d'Alenes themselves illustrate the situation's precariousness. Of the 1,000 or so surviving tribal members, only 15 to 20 still speak the native tongue known for its eloquence and melodic sentences.

Although never a large tribe, the Coeur d'Alenes — the name means heart of an owl in French — were once a proud and mighty people. They maintained a northern Idaho and eastern

Washington empire that encompassed 9,000 square miles — about six million acres.

Edward Tennant, an Albuquerque, N.M., language expert who acted as a consultant to Nicodemus in developing his study course, feels the Coeur d'Alene program will be the prototype for a wave of efforts to save endangered aboriginal languages.

More important, says Tennant, Nicodemus' work may rally the greatly depressed American Indian by helping restore ethnic pride. Tennant says he hopes the bitter rivalry and factionalism that has weakened the Indian cause might now be healed.

"Like nothing else we know," says Tennant, "language seems to bind people together."

BUT ALTHOUGH Nicodemus' work has inspired widespread enthusiasm, even in European academic circles, it has not yet been incorporated by the Coeur d'Alene Tribal School. That irony is compounded because Nicodemus' own tribal council arranged funding for his work through the Bureau of Indian Affairs.

Bill Johnson, tribal school principal, says he thinks Nicodemus' program is too sophisticated for his teachers (some who have only eighth grade educations) to administer.

However, others close to the tribe cite this internal resistance as a prime example of the kind of disruptive jealousy operating within the Indian movement today.

"In too many tribes," said one source, "there's just a lot of competition and jealousy over who knows the most about heritage."

Someone else said: "Lawrence is now like a prophet not welcome in his own country."

Nicodemus calls home a weathered old frame house built by his maternal grandparents, Louie and Susan Antelope, in 1923. The house stands off by itself on a hillside in a corner of the reservation.

Even though it has only a wood-burning range for cooking, a Franklin stove for heat and no indoor toilet, the house suits Nicodemus just fine. He has lived there most of his life.

What is Nicodemus doing now? He says he is waiting to learn if there will be more funding so he can begin rewriting his people's wisdom stories, replacing the richness and color distilled away by the scholarly translation of his youth.

"I want to make them like classical short stories," he says.

AUG 27 1976

GALLUP INDEPENDENT

JOM Staff

Laid Off

Follows School Indian Program Negotiations

GALLUP (Staff) - All Johnson-O'Malley - Navajo employees in the Gallup-McKinley School District have been temporarily suspended as of today. The announcement was sent out to all principals Thursday afternoon following the scheduled meeting between Navajo Tribal officials and the school district administration.

Supt. Jack Swicegood in Santa Fe was unavailable for comment, but he had said, earlier, that if a contract was not signed Thursday and funds weren't forthcoming, the employees would be suspended.

The JOM-Navajo programs, operating kindergartens, reading labs and math labs, among other programs, is operated by some 125 employees. It serves over 7,000 students.

The JOM programs, have been threatened all summer, first when the school board demanded full control of the program (which, by law, is given to the Indian Education Committee) and second, because of the delay of negotiations.

Negotiations with the tribe didn't begin until the middle of August, too late for employees to begin work on time. But following two negotiating sessions, which Swicegood said went smoothly, the employees were sent to work on a "good faith" basis, since negotiations supposedly had been completed and all that remained was signatures.

NEVADA APPEAL
Carson City, Nevada
August 1, 1976



KLEPPE VISIT

The visit of Secretary of the Interior (Inferior?) Thomas Kleppe this week left a lot of questions unanswered. Many reporters wondered how the secretary was briefed before coming to Nevada after his faux pas at calling the Ruby Marsh area Ruby Lake. And, when direct reference was made to the new Pyramid Lake Indian fishery and possible conflicts between that operation and the Nevada Department of Fish and Game's fishery, Kleppe was unprepared to answer despite being involved in the Bureau of Indian Affairs and the U.S. Fish and Wildlife Service.

It's good that Nevada has received the visit of a high-ranking cabinet member who now has a slight personal inkling of some of the state's more pressing problems. But we, and that includes several federal employes and members of the press, could view the secretary's visit only as a political move. It was pointed out by some obscure federal official that the visit had been designed to meet as many federal employes as possible and give a small pep talk, such as that presented to the Stewart Indian School employes.

Cont'd.

While the visit can be viewed only as a vote getting tour for the Ford Administration (and Kleppe did his homework well, giving the commercials at the right times in his speeches and news conferences), Nevadans also have to hope that Kleppe now has an idea of what the state is up against in some of the smaller areas that don't get as much publicity as say the wild horse and grazing fee problems. Perhaps the visit will produce some positive results from the bureaucratic, mahogany-lined offices in Washington. At least, we hope so.

But, Nevada has long been the orphan child of the federal government when it comes to visits, and the capital is even more remote. When was the last time a President visited Carson City? Could it have been Teddy Roosevelt?

It's too bad that the Silver State's heart doesn't get the attention the arms and legs (Las Vegas and Reno) do. But, it still manages to function well, a tribute to the fact that Nevadans, unlike many other states, will do what's best for Nevada and the rest can scuttle and flounder for all we care.

THE HOPIAN
PHOENIX, ARIZ.
C. 11,062 SUB 118,815

AUG 15 1976

Hopi vigilance curbing sacred-artifact thefts

By JOHN SCHROEDER

KEAMS CANYON — Pilot Ted Vaughn spotted the distant metallic glint of a vehicle flashing in the midafternoon sun and eased the controls of the big twin-engine Cessna onward.

Within seconds the sagebrush a dozen feet below became a blur as the plane rushed toward a rock outcropping at 200 miles per hour.

The vehicle's startled occupants stared as the craft nosed up and circled overhead.

Vaughn knew them. It was a false alarm.

But it proved the swift effectiveness of a vigilant program by the Hopi Indian Tribe to stem thefts of artifacts and religious ceremonial items secreted in various areas of the reservation.

The thefts reached near-epidemic proportions a year ago for several reasons, explained Ivan L. Sidney, Hopi tribal police chief and special agent for the Bureau of Indian Affairs.

Black market prices for the items were high, the Hopi Reservation reservation area had limited law enforcement and the federal Antiquities Act lacked teeth for successful prosecution.

Such thefts were almost a daily occurrence, he noted, "but now they're extremely rare" because of the patrols and successful prosecution of the culprits.

Tribal rangers cruise the area in vehicles and a BIA plane routinely patrols the Hopi-Navajo Joint-Use Area for trespass violations.

The aircraft, Sidney explained, can cover the sites in about an hour and when the pilot spots suspicious vehicles or digging activity, he alerts the ground patrol.

The Antiquities Act had been ruled "overly broad" by federal courts, and this was thwarting prosecution, explained Federal Bureau of Investigation agent David Vessel of Flagstaff. The FBI has jurisdiction on Indian reservations and Vessel works closely with Hopi authorities in such thefts.

"We had a heck of a time getting successful prosecutions" under that law, he said. As a result, he and Sidney took a new tack by filing larceny complaints, listing the Hopi Tribe as the "victim" and property owner.

"The U.S. attorney's office in Phoenix concurred and it worked," said Vessel.

The agent said a "very high retail market" has developed in recent years among some artifact and antiquities dealers, who will steal items themselves or hire a Hopi — usually an alcoholic — to steal them or reveal their location.

Recently the FBI recovered in Los Angeles and New York two of three Black Ogre religious masks taken from a sacred hiding place. The third, Vessel said, has tentatively been located in Germany.

"As you can see, it's a national and international problem."

In 1974, a man brought two carved wooden fig-

cm'd

ures to the Museum of Northern Arizona for an appraisal. They were initially recognized by a Hopi employe for their religious significance.

"The subject said he bought them from an alcoholic Hopi for \$250," said Vessel. The two figures, it was learned, were up to 600 years old. Only six Hopi religious leaders knew of their existence.

"They were appraised at \$65,000," Vessel said.

But for the Hopis, many of the items are beyond value and cannot be replaced.

"As long as we have them, there is no value for our sacred things," said Herman Lewis of Polacca, the Kachina chief responsible for the protection of the items for social and masked dances.

"Some of the things we can't replace. They must be made according to procedures way back, unless somebody knows."

He couldn't say how old

some of the religious items are, but said that some have been in existence "ever since we came to this place." Masks, sacred ceremonial stones and other religious items are kept in sacred locations "according to Hopi procedures," he said.

Without them, some ceremonies cannot be completed, the Kachina chief added.

"It's a very emotional thing to the Hopi" when such items are stolen, said Vessel. "It's like stealing the Pieta in Rome. When they're gone, they're gone forever."

The air patrol has produced a half-dozen arrests in recent months, said Vessel, adding that Hopi villagers are now quick to notify authorities of suspicious activity.

But the scars of illegal digging are still evident at many Hopi ruins. Gravesites have been dug up and holes burrowed into the crumbling pueblo structures.

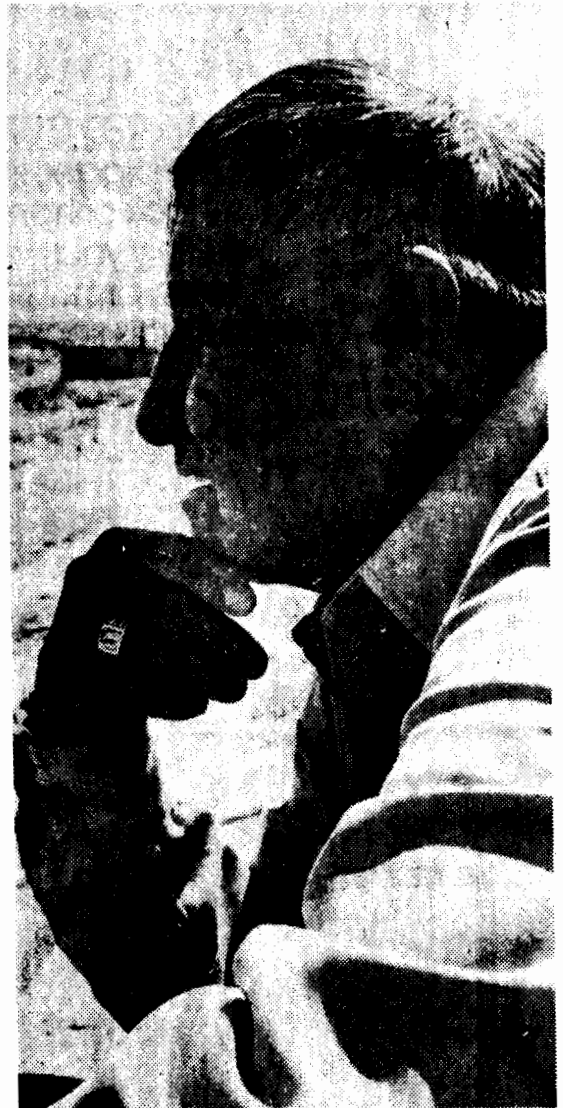
The ancient ruins of Awatovi — destroyed by the Hopis in the 1600s to stem the tide of Christianity — resemble a prairie dog village from the air, a reminder of past illegal digging.

Last March, explained Sidney, the Tribal Council issued an order restricting visits to ruins in an attempt to stop the vandalism.

And those Hopis who assist in the thefts of sacred artifacts appear to be facing a penalty much stiffer than larceny.

Hopi religion decrees that any tribal member who has a role in such thefts will die, explained Sidney.

"Nearly every Hopi suspect we had, almost without exception, has died," he said.



Herman Lewis, Hopi Kachina chief



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THE WASHINGTON POST, MONDAY, SEPTEMBER 13, 1976

Neal R. Peirce

Indian-White Conflict: Civil Rights, Treaty Rights, Water Rights . . .

HELENA, Mont.—Across the "Indian country" of Western America, and in scattered Eastern states as well, an era of intense conflict is developing between Indians and their white neighbors.

The issues range from rights to water from the Mississippi, the Columbia and Colorado Rivers, to fishing for salmon in Washington State, from local property taxes on Indian lands in Montana to fire service for the Oneida Nation in New York. Controversy centers around law enforcement jurisdiction on Indian reservations from Minnesota and Wisconsin to the Pacific coastal states.

The chief battlegrounds are the reservations, originally guaranteed to the Indians "forever" but later opened in part to white settlers. Today the ownership pattern of these areas resembles a checkerboard, a piece of Indian-owned land here, white-owned land there.

Since the rise of the "red power" movement in the 1960s, Indians have striven to reassert jurisdiction over their reservations' original boundaries. The federal government's policy switch from assimilation to "self-determination" has aided this effort, and Indians have

prevailed in many court tests of treaty rights. Over \$3 billion a year flows from Washington into various Indian-related services and economic developments.

But whites living on or near reservations say the federal government has shown scant regard for local residents and local governments. The Indian "problem," they say, was created nation-

ally, restitution programs were devised nationally, and all should be paid for nationally.

Threats to the whites' livelihood and lifestyle have led to the formation of predominantly white "civil rights" groups in 14 states and creation of a national protest group, the Interstate Congress for Equal Rights and Responsibilities. The Interstate Congress says whites are not being treated equally in Indian communities.

Mr. Peirce writes a weekly syndicated column on the problems of cities and states.

"Will we have to yield to tribal law, yet pay taxes to state government, which won't serve



Cont'd

us?" asks Jack Freeman, the South Dakota rancher who heads the Interstate Congress.

Lake County, Montana, a community of 15,000 (85 per cent white, mostly small farmers) provides a test tube case of the conflicts. There have been court battles over shoreline rights to Flathead Lake and disputes over tax-free sale of cigarettes on the reservation and the removal of Indian-owned land from the tax rolls.

Lake County's whites are particularly irked by the shrinking number of taxable acres while inflation wreaks havoc with local government finances. Indian landowners can avoid property taxes by placing land under tribal trust status and giving up their right to sell it. Stories circulate about neighbors who are 1/16th and 1/32nd Indian avoiding taxes this way.

What's more, whites say, the Indians can vote in local elections and approve taxes they'll never have to pay themselves. They also are eligible for social services paid for in part through local property taxes.

The Flatheads reply that the number of conversions of Indian land to avoid taxes is exaggerated, and that their real reason is to consolidate tribal lands. Lost property taxes, they say, are more than compensated for by federal support of local schools and economic activity generated by the reservation.

There's been no violence between Lake Countians and their Flathead neighbors, but whites reportedly fear that the tribes will try to gain civil and criminal court authority over both Indians and non-Indians in all the territory that once belonged to the reservation. They foresee an unfair and inadequate judicial system run by a political system in which they have no voice.

Little of this conflict was apparent 20 or 30 years ago. Then, "assimilation" was official federal policy and the Bureau of Indian Affairs could note in 1957 that the Flatheads were "advanced in the stage of integration with the dominant culture." In those days, intermarriage between Flatheads and local whites was quite common.

But then came the 1960s, with a new federal policy of self-determination and the emergence of younger, more educated, aggressive tribal leaders. Today, on the Flathead reservations and others across the nation, young and professionally qualified Indian men and women—some with legal backgrounds—can return to

their birthplaces and find employment in federally subsidized health, welfare and resource programs.

The younger leaders are speaking out and challenging states and counties that try to assert jurisdiction over Indian country. Their role is more important than the highly publicized American Indian Movement (AIM)—although AIM has helped create a psychological climate for greater Indian independence, just as radical black power groups helped make the demands of moderate black civil rights organizations seem more credible in the 1960s.

All the wisdom of Solomon—and then some—would be required to determine the real "justice" in most conflicts between Indians and their white neighbors, between tribal "sovereign" rights and legitimate rights of local governments and their taxpayers. Strong national

guilt concerning past injustices to Indians makes objective treatment difficult. Whites living on or near reservations say they have as much difficulty getting understanding from other residents of their states as from the power circles in the nation's capital.

Indians, on the other hand, complain that anti-Indian prejudice often appears in local communities, and the national reparations for past wrongdoings are still inadequate.

Local governments' loss of property taxes because of the special status of Indian tribal lands held in trust should be the easiest problem to resolve—possibly through direct federal subsidy to the localities involved. But sponsors of pending federal legislation to give localities annual

payments in compensation for federally controlled lands within their borders have shown no interest in including Indian reservations.

No one doubts that imposition of local taxes on Indian reservations, even if such taxes didn't violate treaty rights, would be a crippling blow to local Indian economies. When Wisconsin's Menomonee Indians were out of reservation status for a period of years, they found themselves hit with a quarter million dollars in annual property taxes—enough to drive them from a position of self-sufficiency to poverty. The state of Wisconsin stepped in to pay them an identical amount for an annual scenic easement to the banks of the Wolf River and continued the arrangement until reservation status was restored.

Water rights and law enforcement problems are particularly difficult to resolve by legislation—partly because each situation is too unique for blanket laws to work. When whites affected by such issues have appealed to their state and federal officials for help, they have encountered some sympathy, some stand-offishness—but rarely any help.

Gradually, court decisions in the Indians' favor are reducing the rights and impairing the income of reservation-area whites. Those whites, faced by vague and unresolved laws, indifferent state and federal governments and fears for their own future, sadly end up bearing an inordinate burden for the cruelty and rapaciousness of the entire nation in its early dealings with its native peoples.

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Yurok Indians Ignore Court Order, Block Klamath River With Rope, Nets

By WALT WILEY
Bee Staff Writer

KLAMATH, Del Norte Co. — "There's no answer, because we don't have any law enforcement. The sheriff, the Coast Guard, Fish and Game, they're all just sitting on their hands."

So said Alvin Larson as he leaned against the counter of his tackle shop in Requa at the mouth of the Klamath River near here, pondering how a small group of Indians and their friends could shut down the major part of his business.

Larson operates a fleet of jet boats that haul tourists on a 64-mile trip up the Klamath and this time of year he said he generally has 90 passengers a day at \$8 a head.

But all this week a small group of Indians 17 miles upriver has had a rope and some gillnets strung across the stream, blocking the boat's passage, and Larson has been having

to refund his passengers' money.

He said the boats did not even run today, but he has hopes one of a pair of legal actions will serve to change the Indians' minds.

The Indians, on the other hand, are holding out until they get back the land a mile on either side of the river in a strip 20 miles upstream from Larson's establishment at Requa.

Yesterday, Larson obtained an order from Humboldt County Superior Court Judge Charles Thomas directing that the river be opened.

But when Constable Herb Kidd tried to serve the order the Indians refused to accept it.

"He finally just laid it there on the beach and the Indians accused him of

littering and swept it off into the water with a piece of brush," said Capt. Jim Barneburg, pilot of Larson's jet boat, the Klamath Queen.

Today, Larson succeeded in getting the U.S. Army Corps of Engineers to issue a cease and desist order against blocking a navigable waterway.

But, according to Jack Farlis, assistant chief of construction operations for the Corps, if the Indians choose to disobey the order the matter will have to be turned over to the U.S. Attorney's office and then would have to be settled in federal court.

"This is Indian land; those laws don't apply," said a young woman as she lounged on an old sofa at the Indians' camp upriver.

Nearby, salmon and elk meat were smoking in smokehouses built from poles and branches cut in the area, while a dozen or so other members of the group lounged under a brush shelter out of the sun.

"I've lived here all my life, and my family's land is right up there, but I understand Simpson Timber has built two houses on it — I haven't been there in quite a few years," said Eddie Markeson, a Yurok Indian and one of the group relaxing in the shade.

"I didn't think this idea up, but I sure support it. If my family sold that land to Simpson I sure don't know anything about it."

The Indians are calling their encampment a Land Convention, and spokeswoman for the group, Margaret Carlson said the majority of those on hand are not Yuroks.

She said she is hoping by holding the convention she and the others can show her fellow Yuroks that what they are doing is right.

Individuals in the camp, while they wouldn't speak for the group, said no matter what sort of legal papers they are served they will not leave the land.

Sheriff's department spokesmen in Eureka have said they will not interfere in the case, except to stop violence.

And members of the group, who said their number ebbs and flows between 15 and 50 at any one time, said the fact Larson's jet boat tour guides use the Indians and their prayer rocks and salmon riffles as "museum pieces" is the reason they have decided to stop its passage.

"You ought to see the jet boat go up this riffle," said Sergio Fonseca, a native of Honduras who has joined the group in the riverside camp as he stood beside the rope and gillnets erected to block the boat's passage.

"It just leaves a mess behind the way it goes across the gravel."

Larson denied that the boats harm the river, but he added, "I wonder what they want from us. I've lived here all my life, too, and I'm going to be put out of business if it doesn't stop."

"It's bad enough the Indians are allowed to gillnet all the salmon they want right here at the mouth of the river, but when they pull this you wonder if there are any laws at all."

AUG 27 1976



Iroquois tribal masks

American Indian chief Jacob E. Thomas carves Iroquois tribal masks at the Field Museum of Natural History. Chief Thomas, 54, is a Cayugan, a member of one of the six nations that compose the Iroquois confederacy. He'll lecture 10 a.m. to noon and 1 p.m. to 4 p.m. Friday and Saturday. (Sun-Times Photo by Jack Lenahan)

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AUG 21 1976

Watch your manners

The Hopis are allowing non-Indians to witness the snake dance at Shungopavi today for the first time in years. We trust the outsiders will appreciate the favor and return the courtesy.

At the height of the student revolt the elders of several Indian villages were forced to bar visitors from their ceremonial dances.

Too many hippies, yuppies and assorted youth rebels forgot their manners when they visited the Indian reservation in the northeast corner of the state.

Now that most of the steam has gone out of demonstrations by representatives of the various youth subcultures, the Hopis are going to resume their traditional role as hospitable hosts.

The snake dance is well worth seeing, whether performed by the Hopis or by a group of white adults

who call themselves the Smokis (pronounce Smoke-eyes) and put on their dances at Prescott.

The important thing, in either case, is that observers display the reverence due a ceremonial which is essentially religious.

Someone recently made a lot of mileage by suggesting Indians put on a Whiti (pronounced (White-eye) dance "to perpetuate the ceremonies, both secular and religious, of the white businessman."

If you're going to the Hopi reservation today, be sure to park your car in the designated place, leave your alcoholic refreshments in the bottle, and take no pictures.

And don't panic when the Hopis release the snakes after the dance. They will slither away to their homes in the rocks, and you can sample your bottle of Snaki (pronounced Snake-eye) on the way home.

AUG 21 1976



CONG. SIDNEY YATES (D-9TH) makes a point during the American Indian parley Aug. 17 at Mundelein college. (Photo by Thom O'Connor)

Indians clash over unity

By JOEL SCHATZ
Staff Writer

IS UNITY POSSIBLE in Chicago's American Indian community? Is it necessary? Is it even desirable?

Cong. Sidney Yates (D-9th) believes there must be some kind of unified voice for Chicago's Indians; some one or some group that legitimately can claim to speak for the city's several thousand Indians when they are dealing with government agencies, trying to get services and funds.

But many of the Indians who came to talk with Yates at Mundelein college Tuesday, Aug. 17, insist that any sort of unified or representative front either is impossible or the wrong goal to be striving for.

Yates invited several dozen Chicago Indian leaders to the meeting to tell him what they need, what the federal government is not doing, and what should be done to improve government's handling of services and relations with urban Indians here. There are more urban Indians in the 9th district, Yates claims, than in any other congressional district in the country, except one.

INDIAN PROGRAMS in Chicago are destined to fail, one leader from the American Indian Rehabilitation Services charged, because they are based on the idea that all urban Indians are the same.

"We are not the same," Joe Whiteeyes declared. The Indians living in Chicago—estimates ranged from

6,500 to 20,000—represent more than 200 tribes with different languages and backgrounds. Yet people—white people—prefer to "put all Indians into one box."

While some Indians at the meeting called for solidarity, others said Indian unity has failed to come about due to internal conflicts.

Those conflicts, however, had nothing to do with tribal differences, Sharon Hamil claimed. The Indian community here, she said, is in some ways like a small town, where everyone knows what everyone else is doing and has done in the past. And they don't forget.

WHEN ONE GROUP FIGHTS with another, Hamil said, it usually is because they object to that group's or individual's past actions. The differences are based on past performance and personality clashes, not on tribal distinctions. There are various Indian groups that work together regularly, she said, despite tribal differences.

Though the subject of unified representation underlay most of the evening's discussion, there also were specific "bread and butter" issues, as Yates described them, in need of immediate attention.

The three prime concerns were Indian health, jobs and education programs that either are threatened or have been eliminated due to funding cuts

AUG 26 1976

Indian Center upholds firing

The American Indian Center (AIC) board has upheld its Aug. 2 firing of director Juanita Elder, whose attorney said Wednesday she may take her case to court.

The board refused to reinstate Mrs. Elder following a lengthy closed session Tuesday during which she asked to hear charges against her.

Her attorney, Earl Luna, is now charging Mrs. Elder was denied due process because she was fired without a hearing and without hearing charges against her.

Luna said Mrs. Elder may take her case to court or to the regulators in the Department of Health, Education and Welfare.

AIC has been drafting a proposal to HEW for several months, asking for money for an Indian clinic in East Dallas.

One source said the charges were "more personal than management-

related," and involved Mrs. Elder's relationship with her staff and alleged "abuse of procedures."

This is the third attempt to fire Mrs. Elder, the only Indian member of the Dallas Alliance which drafted Dallas' school desegregation plan, since she joined AIC four years ago.

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AUG 25 1976

HEW audit of CISCO finds debt

ADAIR VILLAGE — A preliminary federal audit has shown the Chicano-Indian Study Center of Oregon (CISCO) owes the U.S. government \$26,000 because of accounting and bookkeeping errors in the management of tax-supported programs for Indians and Mexican-Americans.

An audit by the Department of Health, Education and Welfare found some expenditures by CISCO were not documented during a period from June 7, 1971 to March 31, 1976, and that other expenses were not allowable under terms of the federal grants.

The audit was conducted between April and July of this year. CISCO was given until Sept. 16 to submit further information to HEW, including vouchers and affidavits which presumably would justify some of the expense.

Sharon Paz, CISCO board member and a former interim director of the program, said she hoped the amount could be reduced by as much as 90 per cent.

Noreen K. Saltveit, CISCO attorney, said, "If we had had the kind of second, third and fourth backup forms" HEW requires or supplies to anybody who asks for them, CISCO could have avoided the debt.

"They don't tell you what forms to use," she added.

She and John Talley, CISCO board chairman, said the disallowed and undocumented expenses represented a small percentage of total grants awarded to CISCO and were due primarily to a lack of administrative expertise and a lack of technical assistance.

CISCO, located in Adair Village seven miles north of Corvallis, was established to provide a live-in learning environment for disadvantaged Indians and Mexican-Americans.

AUG 21 1976

Navajos plan equal-vote study

WINDOW ROCK — Navajo tribal officials have contracted with a California consultant to develop a reapportionment plan for the reservation.

C. Howard Wilson, Van Nuys, said the tribe will pay his firm \$75,000 to develop a plan for more accurate representation of the Navajos in the tribal council. The council is composed of 74 members,

each elected from an "election community."

The election communities are unequal in population, Wilson said. Thus one tribal councilman represents 463 persons while another has 7,977 persons, he said.

Wilson said this will be the reservation's first reapportionment. He said plans must be submitted within six months to the council for its approval.

AUG 25 1976

Indians Forming 'Caucus'

Formation of the Arizona Indian Political Caucus was announced today at a press conference called by Floyd Bringing Good.

Bringing Good, chairman, said the organization already has about 30 members and is conducting a statewide membership drive. Members will meet Friday evening to start the process leading to endorsement of candidates in the November elections.

"Arizona has the largest Indian population in the country with 19 tribes occupying 17 reservations. Twenty-seven per cent of the state is Indian land," he said at Phoenix Press Club. "There are 200,000 Indians in the state."

He said contemporary Indians are becoming aware of being involved and knowledgeable in "other units of government besides the federal level."

Besides endorsement of political candidates, the group will be involved in voter registration, taking formal positions in issues and working in political campaigns, he said.

The Miami Herald
MIAMI, FLA.
D. 384,824 SUN. 486,568

AUG 29 1976

Indian Descendant Part of Two Cultures, Can Cope With Both

BY JOY STERLING
United Press International

PROVIDENCE, R.I. — Cathy Chatelain was weaned on Hollywood's depiction of Indians. She admits she tended to side with Errol Flynn in the movie version of Custer's Last Stand.

"An old boyfriend made a big thing out of the fact I descended from Sitting Bull," she said. "He'd tell everybody and then they'd call me 'Pocahontas.'"

Kathy is Chief Sitting Bull's great-great-granddaughter.

Raised in New Jersey, Cathy became interested in her Indian ties five years ago. Now an Ivy League graduate student, she takes time from her chemistry studies to develop her knowledge of Indians and Indian lore.

WIDE-EYED AND thin-faced, Cathy looked out of place at the Narraganset Indians' 300th annual tribal meeting in rural Charlestown, R.I.

But they treated their visitor like the Sioux princess she would have been a century ago.

"One of Sitting Bull's daughters married a Montana senator," she said. "That took us off the reservation. I'm a direct descendant through the female line."

To the savage whoops and the pounding of an Indian water drum, she tiptoed into the medicine circle and latched onto a hefty squaw who showed her the steps.

SHE STUMBLERED THROUGH a few ceremonial dances, then fled to the sidelines faintly red in the cheeks.

"I wish I had a costume," Cathy said, watching Narraganset girls in their buckskins. "I love the beading and the feathers."

"When I get a good tan I look fairly Indian with high cheek bones and long, straight hair," she said, a bit defensive about her pasty-white complexion.

Cathy, 24, now attending Brown University, said that, as she became interested in her heritage, her only contact was a grandmother in California who died two months ago.

"I SAVED ALL her letters. I don't think she was much interested in me, though. After all I was a long way away and she had family close to her in California."

But she liked the idea of being an Indian. "It made me feel different."

Then she told the story of the boyfriend who called her Pocahontas. A Narraganset woman standing nearby said she'd "go for the throat" if anyone called her that.

Cathy made it clear she thinks differently.

"It's nice to keep traditions and all that bit. But it can go too far. We'd be much better off if everyone just thought of themselves as Americans."

AUG 18 1976

Boldt urged to withdraw from fish cases to end 'discord'

Norman D. Dicks, one of six Democratic candidates for Congress in the Sixth District called yesterday for United States District Judge George Boldt to withdraw from further deliberations in connection with Indian fishing rights.

Dicks said he did not question Judge Boldt's decisions or his integrity, but said the judge's name has become synonymous with tension and discord "at a time when we need judicial actions acceptable to all parties."

Judge Boldt was author of the controversial 1974 decision giving treaty Indian tribes the opportunity to catch 50 per cent of the harvestable steelhead and salmon returning

to traditional off-reservation Indian fishing grounds.

The Tacoma Democrat said that if elected to Congress he would introduce legislation to outlaw interstate transportation, purchase or receipt of steelhead for commercial purposes.

He said he would make two proposals — a massive program to increase the salmon fishery of the region and a single enforcement agency, representative of all factions, to administer the law.

Dicks also suggested controlling the number of commercial fishermen so that an increased fishery would not be accompanied by multitudes of new fishermen. Dicks made his proposals at a news conference.

Claim 16,000 acres taken illegally in 1870

RODDING MASS.
HERALD AMERICAN
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Indians sue for lost Cape land

PAGE ON

The Wampanoag Indians of Mashpee, indicating they don't very much like the way the white man runs things, want their tribal land back.

A suit was filed in their behalf yesterday in federal district court to regain title and governing power of the little Cape Cod town, plus portions of land in three adjoining communities, Falmouth, Sandwich and Barnstable.

The Indians claim some 16,000 acres was taken from them illegally by an act of the legislature in 1870.

They are seeking to regain it by authority of a 1790 federal act that prevents the taking of native American land without the consent of Congress.

According to Russell Peters, president of the Mashpee Wampanoag Indian Tribal Council, Inc., the suit was filed as the result of a recently passed resolution by the 1000-member tribe.

It said the land of Mashpee was guaranteed forever by Wampanoag sachems in 1686 and reconfirmed as never to be sold without the consent of the Indians by the Colony of New Plymouth in 1685.

Mashpee was recognized as an Indian plantation and district by the colony's successors, the Province of Mass. Bay and the Commonwealth of Mass. until 1870 when the Legislature unilaterally declared it a town.

The resolution, beyond declaring the tribe's right to the land and to govern

AUG 27 1976

Cont'd.

the affairs of the 16,000-acre area, declared the intention of the Indians "to preserve the beauty and character of our land by halting the indiscriminate development and degradation of our woodlands, fields and shores."

The Wampanoags name 146 defendants in the suit — some individual land owners and other large corporations and real estate developers. The town owns part of the land involved and the state Division of Fish and Game owns another section.

According to Atty. Barry Margolin, who filed the suit on behalf of the Mashpee tribe for the Native American Rights Fund, permanent residents of the area will not be evicted if the Indians win.

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D "Permanent residents, whether they be there lawfully or unlawfully, may remain," he said. "The tribe will seek agreements with them upon just terms for use of the property."

However, summer folk and big companies owning large tracts of woodland and shore-front property in Mashpee, Falmouth, Sandwich and Barnstable listed by lot numbers in the suit, probably won't fare so well.

Listed among the defendants is the New Seabury Corp., which has built multi-million dollar housing de-

velopments on Cape Cod, the New Bedford Gas and Edison Light Co. the First National Bank of Boston and others.

Margolin said the Mashpee suit was one of several filed for various Indian tribes throughout the country recently based on the 1790 Indian Nonintercourse Act.

The U.S. district court in Maine recently found in favor of the Passamaquoddy and Penobscot tribes in a similar suit stating the 1970 federal law is still applicable. Further action is expected there to return lands to the Indians.

Another case is pending in Rhode Island in the Narragansett tribe.

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AUG 24 1976

1,000 watch as Hopis perform centuries-old ritual to get rain

By JANA BOMMERSBACH

PAGE ONE

HOTEVILLA — The painted dancers faced each other — the Antelope priests with their gray bodies and the Snake priests with their brown bodies — and chanted a low, ancient prayer for rain.

Their chant often was drowned out by thunder.

The rain started about 3 p.m. last Saturday on this arid mesa in northern Arizona that is the home of the Hopis. That was an hour before the public Snake Dance — the first that has been publicized to attract Anglos in the last three years — was to begin.

But the 700-year-old Snake Dance ritual, which is as sacred to the Hopis as the Easter sunrise service is to Christians, was now into its ninth day.

The rain came in large drops that washed the red dust off cars and tamed

the dirt road that leads to the plaza of Hotevilla.

Later, about 1,000 persons filled the ancient village, sitting or standing 15 deep around the central courtyard or climbing wooden ladders to stand on the flat, earthen roofs of homes.

About 40 per cent of the spectators were Anglo, some from as far away as Massachusetts and British Columbia.

Whether they were aware of the controversy that closed the dances to non-Hopis or were struck by the significance of the dance, they were quiet and respectful. Only a couple of people had to be reminded (gently) that picture taking wasn't allowed. The only obvious complaint was the way some were dressed, especially a few young women who wore

Cont'd



shorts and halter tops to the religious ceremony.

There also were no disrespectful Indians in view at the ceremonies, nor militants, who in 1972 had closed Hotevilla to "white eyes" in defiance of the chiefs.

So they came together, whites, Indians and a few blacks, to this dance that is for the crops of all people whose hearts are good.

"This day is very special to everyone," said an Indian from Santa Fe who had come to visit an artist friend in Hotevilla and would stay to see his first Snake Dance in years.

The gourd rattles of the Antelope priests created a hypnotic rhythm that replaced the usual drum beat of many Indian ceremonies.

The dancers, who had emerged from the kivas, or ceremonial structures, where they'd meditated and prepared for the dance, faced each other over the sipapu, stomping on it to alert the earth and cloud people. The sipapu, or stomp board, represents the point on the earth from which all creatures emerged from the underground.

They sprinkled ground cornmeal on the sipapu and prayed together and the thunder battered the sky and giant streaks of lightning lit up the northwest.

The monotony of their prayers went on for some time, and then the Snake priests broke into pairs to perform the ceremony that gave the dance its name.

One by one, snakes were fetched from a teepee-like structure of cottonwood boughs in the plaza.

Some were poisonous rattlers. Some

were bull snakes. Many were large, measuring up to 6 feet, 5 inches long. All were angry.

They writhed wildly as the Snake priests put them into their mouths — the snake's head facing outward along the man's cheeks. The priests held the snakes' bodies in an S-shaped style and danced around the plaza whispering prayers for rain. Behind each dancer was a "hugger," another Snake priest who put his left arm on the shoulder of the man in front of him and gently beat his shoulders with a Y-shaped prong decorated with orange feathers.

After dancing around the plaza to the beat of the gourd rattles, the priests put the snakes on the ground. Many immediately coiled. They often struck in the direction of the warmth of the dancers. Three "gatherers" fetched them from the ground, stroking their bodies with their feathered prongs and then gave them to the Antelope priests who formed a half moon around the Snake priests.

The dance lasted about an hour, finishing with the Snake priests grabbing handfuls of snakes and running to the four corners of the village to release them.

As legend goes, the snakes carry the whispered prayers to the gods.

One young dancer stumbled as he left the plaza, and then he stopped long enough to transfer the rattler he carried in his left hand to the group in his right.

He thrust his left hand outward. His fingers and arm already were contorting in muscle spasms. Blood ran from the bitten flesh between his thumb and first finger.

He stumbled repeatedly, and although his path wasn't straight, it was determinedly toward the north end of the village.

Afterwards an Anglo said authoritatively: "I'm sure he went back to the kiva and was fixed up."

The "fixing up" includes the consumption of a green liquid that creates an immediate and severe nausea.

Is that what stops the agonizing pain and eventual death from a rattlesnake bite?

That remains one of the mysteries of the dance.

As the crowd broke up, a blue streak of rain could be seen to the northwest, growing wider by the minute and fulfilling the prayers of the dance.

And to the northeast, a sweeping blue-pink-yellow rainbow decorated the sky.

AUG 25 1976

Lawrenceville school educated Indians

1875 letter portrays Cherokee

life

By BILL SAMPSON
Innovate Editor

A DESCRIPTION of the Cherokee Nation in 1875 is provided in a letter found earlier this year in the archives of an eastern preparatory school.

Its existence also points up the importance of the institution, the Lawrenceville School in New Jersey, to the eastern education of 19th century Cherokees who became leaders of that early civilized tribe of Indians, most of whom now are located in northeastern Oklahoma.

The letter was written on April 27, 1875, by Cherokee Chief William Potter Ross, an 1839 graduate of Lawrenceville and an 1842 graduate of Princeton, to Mrs. Jane Porter Condit, long-time Lawrenceville educator.

The letter was found in the school archives by Mrs. Catherine Lower and a copy was sent to Cherokee attorney Earl Boyd Pierce, an authority on Cherokee history. Parts of the letter are published here for the first time with Pierce's permission.

Chief Ross, no relation to former Chief John Ross who led the Cherokees from 1828 until his death in 1866, wrote from his home in Fort Gibson, discussed friends and family matters and then wrote:

"THERE IS SO MUCH that could be said depicting the Cherokee Nation and the Indian Territory that might not be wholly devoid of interest to you that I know not where to begin.

"I am now receiving returns of the census of the Cherokee people taken preliminary to the distribution of \$200,000 of their own money among them to relieve the destitution caused by the failure of crops last summer."



WILLIAM P. ROSS

(The summer of 1874 was one of widespread drought in the Southwest, followed by a grasshopper plague of such intensity that it was noted in many annals and letters of the time).

"These returns show the existing recognized population of the nation including native Cherokees, adopted Indians, white and colored, to be 18,519.

"There are something like 65 public schools scattered over the country, besides one high school (female) now in operation, an orphan school (mixed)

and a male school that will be put into operation in October. These schools are attended by about 2,000 children and are under the control and support, exclusively, of the Cherokee Nation.

"There are something like 2,000 Baptists, nearly the same number of Methodists and two or three hundred Moravians and Presbyterians. There is no Episcopal organization in the country

"THE CHEROKEES have nearly \$3 million in U.S. stocks and receive semi-annually the interest thereon from the Department of Interior. Fifty per cent of this income is applied to the support of our government, 35 per cent to the support of the schools and the remaining 15 per cent to the fund for the education and support of the orphans.

"We have no taxes of a general nature."

"The permanent reserve of the Cherokee Nation contains about 3,242,000 acres of land, some of which is very good, more indifferent and much that is worthless . . . The eastern portion, on the borders of Arkansas and Missouri, is hilly, finely watered from springs and mostly timbered. The western portion is generally more fertile but away from the water courses, mostly prairie. It is beautiful to the eye.

"Two railroads have been constructed, the Missouri, Kansas and Texas Line which runs within 7 miles of this place from north to south, and the Atlantic and Pacific from Missouri. The terminus of the latter is its intersection with the former at Vinita, sixty miles north of here.

"The telegraph follows the line of the former road with a branch to this place, which is a military post although there is not more than a corporal's guard of the 'boys in blue' here at present.

"Tahlequah, 20 miles east, is our capital and the neighborhood in which our two high schools and home for the blind and insane are located.

Cont'd

"The Cherokee government is following, at a long distance, the form of your state governments. The people elect the most of their officers — from their chief down to the judges and legislators.

"The Cherokees suffered terribly during the war but are recovering and will be soon prosperous and rapidly progressing in the arts and pursuits of civilization—if not sacrificed to the cupidity and heartlessness of a border population and railroad operators."

ROSS HAD TAUGHT in Cherokee schools after his graduation from Princeton and was for four years editor of the Cherokee Advocate, tribal newspaper. He was later a merchant and lawyer and often represented the tribe in Washington. He served two terms as chief, appointed in 1866 to succeed his John Ross and appointed again in 1873.

Ross died July 20, 1891, at a time when the Cherokees were under pressure by the federal government to sell the Cherokee Outlet for white settlement. The sale was completed in 1893.

It was that sale, made under duress and for what the Indian Claims Commission in 1966 said was "an unconscionable price" that resulted in a \$17 million award to the Cherokees which revitalized their modern tribal govern-

ment and lifted them to prominence among American Indian tribes today.

Lawrenceville records show that of 21 Indians who attended the school between 1834 and 1876, 12 were members of the Ross families. William P. Ross was salutatorian of the class of 1839. A relative, R. D. Ross, graduated from Lawrenceville in 1840, Princeton in 1843 and the University of Pennsylvania Medical School in 1847.

Dennis Bushyhead, who served two terms as Cherokee chief, 1879-1886, graduated from Lawrenceville in 1843. He was the eldest son of the Rev. Jesse Bushyhead, prominent native Baptist minister.

DENNIS BUSHYHEAD joined the gold rush to California in 1849 but returned to the Cherokee Nation for a distinguished political career, twice appointed tribal delegate to Washington and serving in 1890 on the commission dealing with the government on the outlet sale.

G. W. Ross graduated from Lawrenceville in 1846. J. A. Ross graduated there in 1847 and became a Cherokee merchant. Another 1847 graduate was C. N. Vann, who became a Cherokee lawyer.

In 1862 H. C. Meigs graduated from Lawrenceville and became a Cherokee doctor. L. S. Ross, class of 1865, became a Cherokee merchant. S. J. Thompson graduated in 1876 and became a doctor. William Penn Ross graduated in 1880, the last Cherokee to attend Lawrenceville.

The Cherokee Male Seminary opened in 1875 and accommodated those Cherokees who probably would have followed their predecessors to Lawrenceville.

A female seminary at Lawrenceville began operation in 1834 in a structure known today as "Old Davis House." It was a familiar landmark to many of the Cherokees who attended school at Lawrenceville. That building gained a certain amount of fame when Housemaster Thornton Wilder wrote the classic "The Bridge of San Luis Rey" there in the 1920s.

AN ARTICLE in the New York Mail and Express in 1893 mentions the Cherokee-Lawrenceville tradition. It said, in part:

"There was a sort of amused surprise excited by the announcement that four or five Indians had come here from the far West to draw six or seven millions out of Wall Streets coffers.

"But it should not have been. There are very rich Indian tribes in the country and many individual members of them who are highly educated and as good businessmen as the whites.

"The Cherokees are perhaps the most advanced American Indians, and the Lawrenceville school is responsible for as great a proportion of this civilization as the schooling which admits a goodly number of students to Princeton College each year.

"Years and years ago the great school for the Cherokees was the Lawrenceville school. The Cherokees had just moved from Tennessee to the Indian Territory. Many of their families had seen so much of civilization

and had already become so wealthy that they desired to bring their children up with every advantage. They had accepted the Christian religion and in some cases intermarried with the whites."

The article went on to say that a number of New York families, are represented among Lawrenceville alumni, including Auchinclosses, Scribners, Morris and Motts. From the South were Agnews, Davises, McIntoshes, Whartons and Wyeths.

It seems fitting that in recent years a Lawrenceville scholarship talent search enabled Cleveland Burnette of White River, S.D., to enroll there. He is a fullblood Sioux Indian.

AUG 24 1976

Navajo Finds Art Mainstream

He's a Navajo painter, a former shepherd, a socialite, a comedian, a paradox. R. C. Gorman, the subject of "American Indian Artists" fourth program, to be seen at 7:30 p.m. Tuesday on Channel 11, is a prominent figurative painter and printmaker whose work and ideas have brought him into the mainstream of contemporary American art.

Gorman's strongly Mexican figure studies differ sharply from the decorative line-work of "traditional" Indian painting, but so too does his academic background. Unlike an older generation of trained Indian artists, most of whom received their instruction at the Santa Fe Indian School Studio (1932-1962), Gorman chose to study in Mexico under muralist Carlos Merida.

The impact of Orozco, Rivera, Siqueiros and Tamayo led him to abandon the conventional Indian representation of the human figure and concentrate instead upon its mass and shape.

His subsequent paintings, principally of Navajo women, radiate an attention

and concern for the human form that are new to Indian painting, most of which has treated the body in an abstracted, diagrammatic manner.

GORMAN'S FIGURES ARE FULL, fleshly, explored for their own sake. Whether in the lithographs that he has worked on since 1971 or the oils that he has painted since student days, Gorman strives to combine matter and spirit in his images of the human body. Unlike most Indian painters, he is intrigued with nudes and has executed a lithographic suite of them.

Gorman's use of color is also drawn from traditions outside his native ones—his palette is composed of the bright, shocking hues of a series of semi-abstract paintings inspired by Navajo blankets. With a characteristic mix of humor and seriousness, Gorman has explained the basis for this series of paintings: "I adapt Navajo rug motifs to my canvases because one day the rugs themselves will no longer be available. Also, polymers are less susceptible to moths than wool."

When asked about his influences, his ideas, Gorman replies: "I think they come from being aware—of anything: a candy wrapper, an old lady's wrinkles, a funeral, a decayed rug, a sound, a smell..."

GORMAN'S AWARENESS HAS NET-ted his work places in the permanent collections of the Metropolitan Museum of Art, New York; the U.S. Department of Interior, Washington, D. C.; the Museum of Indian Arts, San Francisco; the Heard Museum, Phoenix; the Philbrook Art Center, Tulsa. His paintings have won him major painting awards and have been exhibited in private galleries around the world.

From the Canyon de Chelly hogan where he lived and tended sheep as a child to the galleries and nightlife of Aspen and Scottsdale, "American Indian Artists" explores the world R. C. Gorman moves through and the work he creates out of his experience and imagination.

"American Indian Artists" series is narrated by poet Rod McCuen.

MILWAUKEE JOURNAL

MILWAUKEE, WISC.

D. 350,005 SUN. 543,992

AUG 31 1976

Menominees Reject Contract

Ann G. Evans
Special to The Journal

Neopit, Wis. — Striking employes of the Menominee tribe's logging and sawmill operation here voted 64 to 45 Monday to reject a contract offer that was hammered out in five days of negotiations last week.

Negotiations were scheduled again Tuesday in the strike begun July 15 by the 182 members of Local 4802, International Woodworkers Association.

George Funk, union vice-president, said the latest offer by Menominee Tribal Enterprises, which runs the logging operation and sawmill, fell short of union goals, although he felt that the workers should settle.

The union wants a one year contract, and the company offered a two year pact. The union also is asking a 40 cent an hour wage increase, but the contract offered 30 cents retroactive to July 1, another 21 cents next July and another 14 cents on Jan. 1, 1978. The workers' base pay now is \$3.48.

SEP 2 1976

Ojibwa College To Open

Special to The Sentinel

Houghton, Mich. — Ojibwa Community College, on the Ojibwa Indian Reservation near Baraga, will open for the first time Tuesday to about 50 students, authorities said.

Classes will be in the Tribal Center, once known as the Capuchin Friary.

Indians may attend the new school free. The college will be sponsored by Michigan Technological University and supported by the state and federal governments.

James Schutte, formerly with the Baraga school system, will be educational director of the college.

Courses offered, which will be approved by Michigan Tech, may be transferred to other schools because of Tech's accreditation. One course, expected to be popular, will teach students the Ojibwa language.

AUG 25 1976

Dem backs Indian land payments

Arizona would receive about 70 per cent more from in-lieu payments for its federal lands if Indian reservations were included in a bill now before Congress, a Democratic candidate in the 4th Congressional District said Tuesday.

Tony Mason said he has written to Sen. Henry Jackson, D-Wash., suggesting that amendment to the Payment In Lieu of Taxes Act that has passed the House and will begin Senate hearings Friday.

"The bill goes to one of the basic injustices to the states that have federal lands," Mason said at a press conference in the Hyatt Regency Hotel. "There is a fundamental inequity in asking local government to provide services to lands it cannot tax."

He noted that almost 75 per cent of the land within Arizona is federally owned and not subject to local taxes.

The bill recognizes the problem and proposes to compensate for it, but doesn't go far enough, Mason said.

For example, Gila County, where 96 per cent of the land is federal, now receives \$73,192 yearly in federal funds for those lands. It would receive \$723,650 under the bill as proposed, but would get \$1 million yearly if reservation land were included, Mason said.

Maricopa County now receives \$28,000 yearly, but would receive \$964,200 under the bill as proposed or \$1 million yearly with the addition of reservations, he added.

The seven counties in the 4th District — Apache, Gila, Graham, Greenlee, Maricopa, Navajo and Pinal — would receive \$6.2 million from in-lieu payments if reservations were included, compared with \$3.6 million if reservations were excluded, Mason said.

The money would go into the county general funds as compensation for county services provided on the federal land, he added. Those services include building and maintaining roads, police protection, health services and education.

The bill was supported in the House by Arizona Reps. John Rhodes, a Republican, and Morris Udall, a Democrat, he said. Reps. Sam Steiger and John Conlay, both Arizona Republicans failed to vote on the bill, he added.

Mason said local taxpayers now are "overtaxed" to compensate for the untaxable federal lands.

"The impact on the local taxpayers is both severe and unjust," he said.

SEP 1 1976

Navajos study suit to void bond vote

By BILL DONOVAN

WINDOW ROCK — Navajo voters in the northern part of Apache County are considering filing suit to void Tuesday's bond election, if county voters approve it, because they say county officials did not publicize the election in Navajo.

Several members of ACTIVE, the Apache County Team Initiating Voter Equality, said county officials made no attempt to inform Navajos about the proposed \$4.5 million bond election.

Several groups in the northern part of the county are against approval of the bonds since all the money will be used to improve high schools in the St. Johns area and none will be used on the reservation portion of the county.

Results of the election were not available late Tuesday.

Apache County Attorney J. Kendall Hanson, said Monday that since there is no written Navajo language that is understood by any sizeable number of Navajos, he did not think the county was required to publish legal advertisements in Navajo.

He said the election, however, was advertised in the legal advertisement section of the Navajo Times in English and Navajo by a private organization that will handle the sale of the bonds if they are approved.

Rosalind Zah, one of the leaders of ACTIVE, said the county made no attempt to publicize the bond election over the radio in the Navajo language. According to Hanson, the county is not required to use radio announcements.

Mrs. Zah said ACTIVE attempted to get radio station KGAK, of Gallup, N.M., to carry the announcement as a public service. The station refused to do so except as a paid legal advertisement.

Ray Stevens, assistant general manager of KGAK, said the station does not carry any announcements free that would have to be paid for in newspapers.

AUG 18 1976

School Fund

The U.S. Bureau of Indian Affairs has awarded the Navajo tribe \$7 million for educational programs in Utah, New Mexico and Arizona, announced Sen. Jake Garn, R-Utah.

The money will be used for administration and management of Johnson-O'Malley programs for Navajo education.

AUG 26 1976

Court Suit Asks Halt In Project

A U.S. District Court suit has been filed by the Salt River Pima-Maricopa Indian Tribe to halt construction of a Central Arizona Project siphon project under the Salt River.

The action filed yesterday claims the U.S. Bureau of Reclamation has failed to complete a required environmental impact study on the Granite Reef aqueduct.

Defendants are Interior Secretary Thomas Kleppe, Reclamation Commissioner Gilbert Stamm, Bureau of Reclamation Project Manager Clifford Pugh and the construction firm of Peter Kiewit and Sons Co., a Glendale firm which holds the \$34.2 million contract to build the siphons.

The suit asks construction work on the project be halted until a study is completed.

AUG 26 1976



Floyd Bringing Good

New group backs rights of Indians

A new Indian organization, called the Arizona Indian Political Caucus, has been formed with the goal of preserving the rights of Indians on and off reservations.

The group, whose formation was announced Wednesday at the Phoenix Press Club, intends through political action to maintain treaty and reservation rights and the rights of citizenship.

Floyd Bringing Good, chairman of the organization, said the group has about 30 members but seeks support from all Indians and tribes in the state.

The caucus will pursue registration of Indian voters, endorsement of political candidates, participation on political campaigns, financial support of candidates and a forum in which Indians can learn to become involved in the American political process, Good said.

AUG 28 1976

Census Of Navajos Planned

A census of three chapters of the Navajo Nation, which occupies parts of Arizona, New Mexico, Colorado and Utah, will be conducted by the Bureau of the Census, beginning Sept. 13.

About four weeks of field work will be required.

The chapters, political subdivisions of the Navajo Nation, are Red Rock, Lukachukai and Tuba City. They were selected because they represent varying degrees of difficulty in census taking.

The census is the first in a research program designed to develop ways to improve the count of the American Indian population in the 1980 census of population and housing.

The census will aid the bureau in exploring the possibility of using special sources such as population registers and tribal rolls to help improve coverage and of developing updated intercensal statistics on the American Indian population. Based on the results of the test, the bureau will develop plans to conduct similar studies on other Indian reservations.

AUG 22 1976

Indian aid loses fund for school

The director of the Urban Indian Program in Portland is looking for business and industry leaders who want to give urban Indians and other disadvantaged persons an educational helping hand.

Sister Francella Griggs, program director, said an educational program used to help Indians and others for the past three years was not refunded by the Office of Indian Education.

"The idea behind the program was to have it become a community thing — to be on its own — after three years," the director said.

The Urban Indian Program has some funds through the Comprehensive Employment and Training Act that it can use to provide basic education and training opportunities.

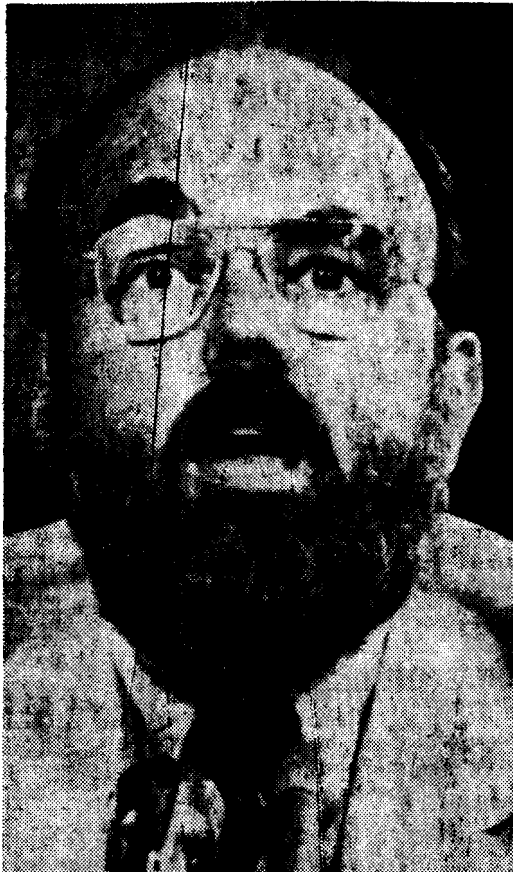
"But the funds are limited. I think we can only help about five and we had been hoping we could help between 100 and 200," the director said.

Urban Indian Program workers will begin contacting business and industry leaders the last week in August to enlist their help.

"We need help in buying school materials and to help provide transportation for students. We can't afford to pay stipends; the students will have to work and go to school at night. We have money available for teaching and tutorial help, but we can't hire that help until we have the students," Sister Francella said.

Classes arranged through the Urban Indian Program provide basic education and give students a chance to earn the equivalent of a high school diploma.

SEP 3 1976



John Ehrlichman

Ehrlichman helping Navajos raise funds to build new schools

By BILL DONOVAN

PINON — John Ehrlichman, former aide to President Nixon and a convicted Watergate conspirator, has been helping Navajo officials drum up support for new school facilities.

Doyle Wyant, principal of the local Bureau of Indian Affairs school, said Ehrlichman has visited the school several times recently and has agreed to promote financing for a new school here and for one in Low Mountain, a small community to the north.

Both towns are in the Navajo - Hopi joint - use area.

AUG 28 1976

Tribal Officer Promises Fight To Keep Post

Bruce Townsend, chairman of the Delaware Indian's business committee, said he will seek a court injunction to block a Sept. 11 tribal general council and removal hearing aimed at him.

Townsend said he also would seek a congressional investigation of the Bureau of Indian Affairs involvement in Delaware tribal activities.

The BIA scheduled the removal hearing to coincide with the general council, which Townsend has opposed. Tri-

bal charges against Townsend; Mary Townsend Crow, Townsend's sister and secretary to the business committee; and Henry Secondine, business manager of the tribe, are to be discussed at the hearing.

Townsend said the charges are false and represent a "power grab" by a minority of the business committee. He said Indian Commissioner Morris Thompson and Jack Ellison, BIA director in the Muskogee area, have joined forces with the minority.

Ehrlichman, who lives in Santa Fe, was asked for help a year ago by local school officials, Wyant said. This was after Ehrlichman had asked federal courts to allow him to work as an attorney for a New Mexico Indian tribe instead of being sentenced to prison for his involvement in Watergate.

Since then, Ehrlichman has provided school officials and others supervising the campaign with several suggestions on how to obtain the \$20 million needed for the schools.

Residents of the Pinon area have been trying to get a new school since 1959 without success, Wyant said.

He said the BIA became involved in the school funding because of Ehrlichman's efforts.

"I was told just yesterday in a phone conversation with (Indian Commissioner Morris) Thompson that we will have new schools by 1979," Wyant said.

The Pinon school was built in 1933, he said, and is meant to accommodate 300 students. This year, however, about 330 students are expected to attend kindergarten through third grade.

Wyant said he believes Ehrlichman's actions are an honest attempt to right a wrong and are not self-serving.

"Ehrlichman has told me several times that he wanted no publicity in connection with his services to our school," Wyant said. "In fact, he told me that having his name connected with the school would probably hurt it."

Wyant said Jack Anderson, the syndicated columnist, has also visited the school and expressed a desire to help. However, he said, there has been no mention of the school's problems in any of Anderson's columns.

AUG 23 1976

Plan to buy out Indian rights hit

The federal government would have to buy out Indian mineral rights and oil rights throughout the country if it decided to buy out Indian fishing rights in this area, says Tacoma Mayor Gordon N. Johnston.

Johnston, a Democratic candidate for United States representative from the 6th District, termed a suggestion by a candidate, Mike Parker, to buy the fishing rights as "wild and irresponsible," the Associated Press said.

In an interview Saturday with The Tacoma News Tribune, Johnston also criticized another candidate, Norm Dicks, who said that a way be found to abandon decisions on Indian fishing made by United States District Judge George Boldt, which already have been upheld by a higher court.

On other matters, Johnston said he favored limitation of terms of public office.

"Someone with fresh ideas should be elected to solve the new problems," he said. "I think eight years as mayor or governor are enough. There should be a 10-year limitation on a member of the federal House of Representatives and 12 years on a senator.

"They become residents of Washington, D.C., and because of the seniority system, they lose sight of why they're there," he said.

AUG 28 1976

Girl Dancer Claims Bias In Anadarko

By Lisa John

CACHE — A nationally known Indian dancer said Friday she believes both sex discrimination and individual discrimination kept her from the war dance competition at the recent American Indian Exposition in Anadarko.

Georgette Palmer, 17, of Cache, said she hadn't been told she could not enter the contest she placed third in last year.

"I was getting ready to pay the \$5 entry fee before the war dance and was told it was for men only," Miss Palmer said.

'I Felt Hurt'

"I felt hurt and shocked," she said. "We were told that the all-women dance committee had made a new rule. They said they figured it should be men only."

The Cache High School senior, known for her award-winning hoop dancing and war

dancing, said she wrote a protest letter to the Anadarko Daily News paper after the exposition but further protests are being left up to the supportive friends.

Official Sorry

Robert Goombi, president of the American Indian Exposition who lives in Norman, Friday expressed regret over the incident, but said, "I was not going to go against the board of directors.

"Traditionally, there were no lady war dancers. If we want to maintain the full culture, there would be no contest for lady war dancers," Goombi said.

"In my opinion, the majority of lady war dancers would admit this position."

SEP 3 1976

Skull holes possibly connect Indians and Europeans

By JULIAN DeVRIES
Republic Medical Editor

Two research reports on the same subject, published 38 years apart in the same medical magazine may provide a possible anthropological link between ancient Arizona Indians and some modern families living in eastern United States and Europe.

Earlier this year, anthropologists, Dr. Dennis J. Ryan of Arizona State University and Dr. Mahmoud Y. El-Nijjar, of Case Western Reserve University in Cleveland, and pediatrician Dr. Betsy Lozoff, also of Case Western Reserve reported their findings that some ancient Arizona and New Mexico Indians had

abnormal holes in their skulls.

Their report, published in the American Journal of Roentgenology, Radium Therapy and Nuclear Medicine, attributed the skull holes to a nutritional deficiency. The digging sites where the skulls were obtained were dated as ranging from 400 to 1673 A.D.

However, 38 years before that report was published, Dr. Lowell C. Wormley and Dr. J. Townsend Travers, both of New York, published similar findings in the same journal.

According to Wormley, now a Phoenix physician, the skull holes discovered by himself and Travers

and Europeans

were in black and white residents of the New York area. In researching other reports of the same phenomenon, the pair found similar accounts of the abnormal skull holes in Europeans.

In his report, co-authored with Travers, Wormley offers no expla-

nation of the holes, but cautions doctors who may encounter them in patients not to confuse them with holes drilled in the skull for brain operations or examinations.

The holes described by the anthropologists are ascribed to a form of anemia caused by the predominantly maize diet of the ancient Indians.

Whether the skull holes described by Wormley and Travers also were caused by nutritional deficiencies is not known.

They note, however, that scientific evidence does not fully support a hereditary origin.

The only difference between the Indian and non-Indian skull holes is that the Indian skulls also had holes around the eye sockets and tiny, spike-like projections of bone at the sides of the skull.

OKLAHOMA CITY TIMES
OKLAHOMA CITY, OKLA.
D. 98,191

AUG 28 1976 Indian Aid Advice Set

American Indian students attending the University of Oklahoma on Bureau of Indian Affairs scholarships should contact Jack Miles, coordinator of Indian Student Services, if they encounter problems relating to those funds.

Miles said some students may not receive their scholarship monies by the time classes begin, and he can help them work out the resulting problems.

The office in 213 Hester Hall, can be reached by calling 325-2671.

OKLAHOMA CITY, OKLA.
OKLAHOMA JOURNAL
DAILY 62,000

AUG 26 1976

'Bout Time

The choice of Oklahoma by a British Television crew to film American Indians is long overdue recognition of our state and its Indian citizens by the news media ... They shot film at Anadarko, Colony and Ardmore to show Indian life and activities ...

This showing will help spread the truth about Oklahoma and its Indians ... and help eliminate some of the misconceptions which are all too common.

(Ardmore Ardmoreite)

AUG 26 1976

Both Protests Involve Same Indian Groups

By RICK LANNING

WINDOW ROCK — An aide to Navajo Tribal Chairman Peter MacDonald said today that some militant Indians who have been protesting the tribe's acceptance of a coal contract are the same people who forced Fairchild to close down its semiconductor plant at Shiprock last year.

Aide Daniel Peaches said the demonstrators — 18 of whom were arrested last night to unlawful assembly included members of the American Indian Movement (AIM) and the Navajo Coalition group.

At least one person was injured when Tribal Police Under Chief Roland Dart moved in to arrest the Indians when violence erupted during the second day of a sit-in to protest the council's acceptance of a contract to allow El Paso Natural Gas Co. to mine coal on tribal land.

Navajo Patrolman Barbara Bigthumb was stabbed in the hand with a rusty nail and required treatment at a local hospital, Dart said.

Peaches said the demonstrators, who were still in jail this morning, will be charged with disturbing the peace, destruction of property, and assault and battery on a police officer.

The 74-member Tribal Council held a closed meeting yesterday after 40 demonstrators took over the council chambers Tuesday while members were having lunch.

Although the sit-in ended voluntarily seven hours later, Peaches said the

council members were visibly upset.

He identified Wilford Tsosie, coordinator of the Navajo Coalition, and Chili Yazzie, a Coalition chapter official from Shiprock, as leaders of the demonstrators.

"They are strongly opposed to mineral development on the reservation and some are political enemies of Chairman MacDonald," Peaches stated.

MacDonald and Sen. Barry Goldwater, R-Ariz., last year engaged in a verbal battle over who should be held responsible for the lengthy takeover of the Fairchild plant.

Goldwater had expressed concern over what he termed the "lack of leadership of MacDonald" and other tribal leaders who permitted AIM members to leave the plant with their weapons and a promise of amnesty after a weeklong occupation of the plant.

Such was not the case yesterday.

Chief Dart on Tuesday said he prepared "necessary legal documents" to evict the demonstrators from the council chambers, but they left before the papers could be served.

"About 6 p.m., when council began to recess, the demonstrators ran across the street and began throwing rocks and bottles at passing and parked vehicles," Dart said.

When the Indians continued to throw objects and began turning their violence on the police, Dart ordered his men to begin making arrests. Seventeen adults and one juvenile were taken into custody.

AUG 28 1976

Anger flares over banishing of AIM Indian

By RANDY FURST
Minneapolis Star Staff Writer

A district judge in northern Minnesota has sentenced a state leader of the American Indian Movement (AIM) to up to a year in jail and has banned him and his family from the White Earth Indian Reservation for nine years.

The decision by District Judge Warren Saetre last week in Crookston has created controversy on the reservation. Saetre sentenced Jerry Roy, the AIM member, on two counts of aggravated assault for a shooting incident in November.

Roy said that he listened in disbelief when the judge told him that part of his probation was that he and his family move off the reservation for nine years.

Saetre, contacted by telephone at his summer home in Manitoba, Canada, defended his decision yesterday.

"I know you're not supposed to banish people," Saetre said, "but I thought it would restore peace in the area. I shouldn't make these comments. I wish you wouldn't publish this."

Saetre said yesterday that he originally had ordered Roy to begin serving his sentence at the Northeast Regional Correction Center in Saginaw, Minn., Monday.

But he said he has stayed execution of the sentence until a Sept. 8 hearing at the request of Roy's attorney.

Douglas Hall of Minneapolis, who has appealed the sentence.

Jerry Buckanaga, a member of the reservation's tribal council and secretary of the reservation, angrily denounced the judge's decision yesterday, saying it makes "the whole idea of self-determination for Indians a charade."

Buckanaga said he was surprised when he heard of Saetre's decision. "I just didn't think judges went around doing this any more," he said.

Roy, a long-time AIM activist, was born on the White Earth Indian Reservation and lived there for several years before his family moved to Minneapolis.

He said he returned to the reservation about two years ago and began organizing there for AIM. (Saetre claimed Roy had moved back to the reservation several months before the incident.)

Roy, Daniel Goodwin and several others were shot while on the reservation Nov. 11.

According to Mahnomon County Atty. Michael Kraker, Goodwin maintained that he had no gun and contended that Roy shot him without cause.

Roy claims that he was at his house in Mahnomon, which is adjacent to the AIM office, when an AIM supporter rushed in shortly after 6 p.m. Nov. 11 and said he had been ordered at gunpoint to leave the office.

Roy claims he went outside and saw about nine armed Indians carrying office furniture out of the AIM office and throwing it on the ground. He said they were also carting out AIM files and throwing them onto a bonfire.

Roy said he went outside with a gun to stop the men, and one of the men allegedly told another Indian to "kill the son of a bitch." Roy said the man raised his gun to fire when Roy shot Goodwin in the elbow "in self-defense."

Roy said he was then shot in both shoulders, the face and just above the heart.

Kraker said the state's witnesses testified that they came to the AIM building to hold a meeting and because there was insufficient room, they moved filing cabinets and furniture outside so there would be enough room inside for the meeting.

Kraker said the state's witnesses said that they were only burning garbage outside.

VERNON BELLECOURT, a national field secretary of AIM, who also lives adjacent to the house, testified that he examined the burned remains the next day. He said in a telephone interview that they included burned files of the Wounded Knee Legal Defense/Offense Committee as well as lists of AIM supporters and financial records.

Bellecourt said there had been friction between him and other AIM members and the group who he says "raided" the office. He said that the alleged raid was "an attempt to destroy" the Indian movement.

Cont'd

"It has all the earmarks of an FBI provocation," Bellecourt said, "with the pitting of Indian people against Indian people."

Told of Bellecourt's accusation, Kraker said yesterday, "I think it's too ridiculous to comment upon."

Roy's wife, Patricia Joy, testified that she saw six of the nine men who were allegedly raiding the office carrying guns. But the state's witnesses testified otherwise.

An all-white jury found Roy innocent of two counts of attempted murder but found him guilty on two lesser charges of aggravated assault.

ROY CLAIMS the grand jury that indicted him was also all-white. Kraker said he isn't sure whether there were Indians on the grand jury, but he said one of the members was Hawaiian.

Kraker said that before the sentencing he urged Saetre to give Roy 10 years in prison. Hall, Roy's attorney, argued for probation, Kraker said, and the judge decided to compromise by ordering Roy and his family banned from the reservation for the probation period.

Kraker said yesterday he had "no objections" to the banishment.

"There are precedents for a judge to use some type of method to keep in the situation participants apart," Kraker said.

Saetre said yesterday that he would consider Hall's arguments at the Sept. 8 hearing. But he added that he believes he was right in ordering the banishment.

Bellecourt looks at it differently. "What they've done," he contended, "is deny this man his birthright for 10 years."

CHICAGO DAILY TRIBUNE
D. 416,314 SUN. 4/2, 1976

SEP 2 1976

Russell Means, a leader of the American Indian Movement, will begin serving a 30-day jail term Tuesday after pleading guilty to a misdemeanor assault charge. He was sentenced Wednesday in Kennebec, S.D., on the charge stemming from a Feb. 6, 1973, courthouse riot at Custer, S.D. He also was ordered him to pay a \$100 fine and court costs.

LOS ANGELES, CAL.
MONTBELLO COMET
W 10 005

AUG 19 1976

Two new positions established

Board of Education has authorized the establishment of two new positions, that of community aide (American Indian Project) and that of supervising classified clerk. Both positions are to be filled this school year.

The community aide is to provide liaison between the school and the home for the improvement of the learning experience of the American Indian student, as well as provide assistance on school related problems. In addition, the aide is to contact American Indian parents at their home, obtain information which will help teachers and the school serve the student better, and provide information to the parents about the school. (MUSD recently received funding for a \$22,000 Indian Project designed to provide American Indians an opportunity to learn about their culture.)

The supervising clerk position is designed to provide supervision for clerical employees. The clerk is to plan, direct and control classified personnel transactions, including the development and administration of Eligible Lists, hiring of employees, miscellaneous changes of status and separation of employees.

Additional details on these positions are available by contacting the Montebello Unified School District Classified Personnel Office, 726-1225.

AUG 26 1976

Boldt calls for agreement to allow Indians chance to catch more salmon

By MARSHALL WILSON
Times Staff Reporter *W/62*

TACOMA — Attorneys for the state and federal governments and treaty Indian tribes yesterday were given until September 3 to work out an "equitable adjustment" that will allow Indians an opportunity to catch more salmon the rest of this year.

United States District Judge George H. Boldt, noting that treaty Indian fishermen caught only 6.7 per cent of the Fraser River sockeye salmon run this year, said the Indians must be given a chance to catch a higher share of other salmon species in Puget Sound.

The order came at the end of a lengthy hearing on whether Indians should continue to be allowed an extra day of fishing each week for the remainder of the sockeye season in

maritime

GLEN CARTER, editor

the Strait of Juan de Fuca

ALL FISHING by American fishermen in the strait has been ordered halted by the International Pacific Salmon Fisheries Commission.

Donald Moos, a member of that commission as well as state fisheries director, said the United States is far ahead of Canada in the total number of sockeye caught thus far this year.

Moos said the United States has taken 1,270,000 sockeye from the strait, compared to 1,127,000 by Canadian fishermen, with little

chance of Canada making up the difference.

Moos said the big United States lead was due, in part, to late reports from some Indian tribes, particularly the Lummi, on fish taken.

Judge Boldt said the question of special fishing advantages for the Indians in the Strait of Juan de Fuca is now moot, since the fish already have passed that point this year.

Pointing to his efforts to increase the Indian catch, in compliance with Judge Boldt's 1974 Indian fishing-rights decision, Moos said Indians caught only 1 per cent of the sockeye in 1974, 3.2 per cent in 1975 and 6.7 per cent already this year, with some catch tickets still to come in.

James Johnson, attorney for the state, said Indians have been given extra fishing time this year but many of the tribes are not using all the extra time allotted.

"THEY PROBABLY chose to fish in other areas, for other species," Johnson said.

Al Ziontz, an attorney for the Lummi and Makah tribes, on whose behalf the court action was taken yesterday, suggested that an "equitable adjustment" might consist of closing chinook and coho fishing to all non-Indians.

Whatever adjustment the attorneys for Indian and non-Indian fishermen might work out apparently will be effective in following years.

Charles Peterson, fisheries director for the Makah tribe and a commercial fisherman for 40 years, asked yesterday that the court allow his tribe to catch 1,000 sockeye for use in the Makah Days celebration scheduled tomorrow through Sunday.

He also asked to be allowed to catch 1,000 more sockeye for a subsistence program, feeding approximately 60 senior citizens each day at no cost in a tribal restaurant.

Judge Boldt said that although he was sympathetic to the request he could offer no relief since he thought it "went beyond my authority."

AUG 22 1976

Students Begin Arriving at Indian School

Special to The Tribune

BRIGHAM CITY — The first contingent of Indian students has arrived here at the Intermountain Indian School and enrollment is expected to exceed 800 during the upcoming school year.

David Burch, Intermountain Indian School superintendent, said classes will begin Monday.

He said students will be arriving over the weekend by airplane, bus and private carrier.

Preparations

They will be assigned dormitory numbers, given physical and dental examinations and have their previous academic records checked by the staff.

Mr. Burch said students will be coming from as far as Florida, Alaska and North Carolina, but the greatest enrollment will come from the West.

The superintendent explained the evaluation made by Phoenix area office specialists during the previous year pointed out the need for more reading and math classes.

Math, Reading

He said this year's curriculum requires all students to enroll in the two classes.

He said certifications received from area offices indicate the high school students will range in age from 14 to 20 years.

Post high school students will concentrate on vocational programs. They will be housed separately from the high school students. Range is 18 to 23 years for the post high school students.

TULSA WORLD

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AUG 26 1976

Indian Land Title Fuss Prompts Suit for \$150,000

A Tulsa law firm was sued for \$150,000 in U.S. District Court Wednesday over an allegedly incomplete title search of land being developed by Broken Arrow Mall Inc.

Lawyers Title Insurance Corp., Richmond, Va., claims the law firm failed to detect an alleged flaw in the land title when the land was sold by survivors of a restricted Creek Indian.

Named as defendants were the law firm of Rhodes, Heironymus, Holloway, & Wilson and co-partners Bert M. Jones, John H. Tucker, Joseph B. Roberts, George W. Gable, E. D. Heironymus and Chris L. Rhodes 3rd.

Broken Arrow Mall Inc. made a \$1,150,000 loan and mortgaged the land.

THE INSURANCE COMPANY claims it hired the law firm to examine the abstracts. The law firm reported no defect in title Feb. 22, 1972, according to the complaint, and title insurance was issued.

The land involved is part of 120 acres allotted to Billy Atkins, enrolled full-blood Creek Indian who died in 1929. A daughter, Nellie Atkins Armstrong, acquired the interests of a brother and sister, and sold the land in 1965 to H. Harold Becko.

The insurance firm contends Becko failed to have the sale approved in county court, as provided for by a 1947 federal law covering the sale of restricted Indian land.

THE LAND WAS SOLD TWO ADDITIONAL times before Broken Arrow Mall Corp. acquired title and began to develop the area. An apartment complex and other businesses were built upon the land.

Mrs. Armstrong filed suit in federal court here Feb. 22, 1974, claiming the deed was void because her sale of the property was not approved in state court, as required by federal law. That case is still pending.

As that case developed a federal court receiver was named to take over the property and impound income until ownership was settled. The Broken Arrow developers claimed its income stopped and was unable to pay on the loan.

Lawyers Title agreed to take up the \$9,700 monthly payments and now claims it has paid more than \$106,700.

The new suit seeks \$150,000 damages caused as a result of the allegedly inaccurate title search by the Tulsa law firm.

AUG 26 1976

Boldt to Order Indian Fishing for More Species

By JACK WILKINS
P-I Southside Bureau

TACOMA — U. S. District Court Judge George Boldt said yesterday that since treaty Indians had caught only 6.7 per cent of the American share of sockeye salmon bound for the Fraser River in British Columbia, he will order that the Indians be given compensatory seasons in Puget Sound on other species of salmon.

"You will be ordered to make an equitable adjustment," the judge told James Johnson, assistant state attorney general for the Fisheries Department.

At the conclusion of a five-hour hearing, Boldt ordered attorneys for the department and the tribes to attempt to work out agreement on commercial regulations for other species prior to a September 3 hearing on the matter in his court.

Under Boldt's order of 1974, treaty tribes must be allowed the chance to catch 50 per cent of the salmon and steelhead at ancestral fishing grounds, plus those used for personal food and

tribal ceremonies and those caught on reservations.

Thus, the effect of compensating Indians for the small percentage they caught of the huge Fraser sockeye run would be to allow them more than 50 per cent of the allowable catch of other salmon species.

During the hearing, Fisheries Director Don Moos testified that in projecting regulations on other species for Indians and non-Indians, his department had considered the sockeye catch "a

different set of books."

Al Ziontz, attorney for the Lummi and Makah tribes, said an equitable adjustment would be to close all non-Indian fishing for Chinooks and Cohos.

The judge ruled that the question of whether Indians should continue to have special privileges on the sockeye run this year is moot, because most of those fish have now passed through American waters.

AUG 27 1976

Fishermen Cheer Boldt Critics

BY JOHN O'RYAN

An overflow crowd of more than 400 indignant sports and commercial fishermen last night loudly cheered a parade of speakers who demanded that Congress overturn Judge George Boldt's decision on Indian fishing rights.

The meeting was called by the Pacific

Marine Fisheries Commission to obtain suggestions from Puget Sound fishermen that might help Congress formulate a national policy for U.S. fisheries.

Virtually all the speakers at the Seattle Center meeting also demanded that complete control of Puget Sound fisheries be given to the State of Washington.

"Right now we've got 27 Indian tribes, federal agencies and two state departments regulating the catch of fish," shouted one speaker. "It's not possible to preserve our fisheries in this manner."

Another speaker shouted: "Congress has appropriated \$2 million to see that Indian fishing rights are protected, but they didn't appropriate

one damned cent to see that my rights are protected."

Judge Boldt's decision gives Indians the right to take 50 per cent of the harvestable salmon.

The cheers turned to lusty boos when a representative of the "Freedom Socialist Party" got up to read a prepared statement.

"We support the Judge Boldt decision.

CENT 1

and wish that there would be more decisions like it," the speaker said.

Frank Haw of the State Department of Fisheries, who served as chairman of the meeting, had to pound his gavel for order repeatedly to permit the speaker to finish reading the statement.

Sportsmen bitterly denounced Indian netting of steelhead in spawning rivers. According to figures presented by the sportsmen, the Indian catch of steelhead ranges from 76 per cent of the fish caught in the Puyallup River to 99 per cent of the steelhead caught in the Nisqually River.

"Indians should not be allowed to net off the reservations," one sportsman said. "If they want to catch fish off the reservations, they should be governed by the same regulations as everyone else."

It was also suggested that Indian fishing off reservations be limited to "subsistence only."

"The Judge Boldt decision has brought a disaster to our fisheries," a speaker declared.

A Kent steelhead fishermen said he had customarily caught 10 to 20 steelhead per year sport fishing in the Green River. Since the Boldt decision opened the river to Indian nets, he had caught two fish in three years.

"The Indians put those nets right across the river and catch ev-

erything that comes along," he said.

A representative of charter boat operators asked that Congress appropriate funds to help salmon get over dams

on the Columbia River and act to prevent "environmental degradation" brought on by logging and other activities.

The meeting was

called to consider only sports fishing and consumer problems in connection with the fisheries, but commercial fishermen turned out in numbers.

Seattle
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AUG 22 1976

Indians Build Boats— And Jobs

By DEBRA SMITH

The Yakima Indian tribe has turned to boat building to provide more jobs for its tribal members, according to William Northover, chairman of the tribe's Economic Development Committee.

The Indians are producing fiberglass boats of various sizes, ranging from lightweight car-top versions of nine to 20 feet in length. They are designed in the factory by a designer employed by the tribe.

The boats are virtually unsinkable said Northover; they can be filled with water and remain afloat. Many of the models are self-righting.

The crafts are being built in a 40,000 sq.-ft. plant. Tribal owned and operated, the plant is located inside a tribe-owned industrial park on the northern outskirts of Wapato near the Yakima River.

Tribal leaders decided to venture into industrial production of this kind after reassessing the economic conditions of the tribal members, many of whom receive public assistance.

"About 25 per cent of people living on the reservation are unemployed and 36 per cent underemployed," said Northover.

The industry employs fewer than 100 persons, said Northover, but within another year the Indians hope to double current production.

"This new industry tends to establish within the tribe a sense of

pride and self respect," Northover said. "About two or three years ago, the Bureau of Indian Affairs was calling all the shots, telling the Indians what to do, now it's the Indians deciding for themselves."

Northover said that the economic committee is now negotiating a contract that would allow the plant to establish an assembly line. "Right now the plant is producing one boat a week," he said. The

plant is presently in the position of being able to sell all the boats it can produce, said Forrest Collins, general manager.

"The boats are among the very select group," he added, "which regulatory agencies have proclaimed seaworthy enough to be used at one of America's most demanding testing runs—the Hell's Canyon Rapids of the Snake River."

"All of the money we make off sales goes

back into the operation of the plant," said Northover. "The industry really hasn't paid off yet; it is still in the red," he added more than \$500,000 was invested in the industry by the tribe which hopes for gross sales of at least \$200,000 within the next few years, he said.

"We are now looking into other areas, such as irrigation systems, highway barriers and flood control systems," said Northover.

SEP 4 1976

Indians' land suit jeopardizing \$175M in Mashpee property

By TOM SULLIVAN **PAGE ON**

MASHPEE — An estimated \$175 million in lush property is in jeopardy as the result of a suit filed by the Wampanoag Indian Tribe claiming the town is illegally situated on their tribal grounds.

The Indians, represented by the Native American Rights Fund, filed suit in U.S. District Court, Boston, seeking title to 16,000 acres of land, including part of the town of Sandwich.

Cape Cod banks, because of the suit, have notified real estate operators they will not

handle new mortgages until all legal matters are settled.

Construction of new homes has stopped in some areas.

Federal funds for the town are being withheld jeopardizing construction of a new police and fire station and a public works assistance project at South Cape Beach.

The suit had, until recently, threatened to hold up construction of a \$4 million school. The town, only last Tuesday, was granted a 50 percent reimbursement by the state to go ahead with construction of the middle school.

One real estate man said lack of mortgage money killed at least one major deal involving several pieces of property worth several thousands of dollars.

Judy Alberico, vice chairman of the school board's building committee, said the school project was salvaged at an emergency meeting of the building committee with the Wampanoag Tribal Council.

Russell Peters, Tribal Council leader, told her the group had agreed to remove the liens from the school parcels—the only land

given exemption from the suit by the Indians. The action allowed the construction of the school to proceed.

The next step, Miss Alberico said, is to take up the matter of signing the contracts by next Wednesday's deadline or risk suit by the contractor.

According to the 1976 town of Mashpee real estate valuation list, the land in question is valued at more than \$100 million and the buildings an additional \$75 million. There was no estimate on the value of businesses.

It involves the plush New Seabury resort area which includes private homes and condominiums, two executive golf courses, a tennis club, a marina and acres of

prime land on Nantucket Sound.

Also, a partially constructed new golf course in another section of Mashpee; the Lake Wakeby-Mashpee Development area; the fresh water development project

at John's Pond and the sprawling Popponesset Inn, a resort complex on Nantucket Sound.

The main thoroughfare between Falmouth and Hyannis, Rte. 28, winds through the contested property.

The register of deeds in Barnstable County has ordered a notice of the suit attached to deeds of all property changing hands.

Barry A. Margolin of the Native American Rights Fund, represents some 500 Wampanoags living in the town and 1000 located elsewhere on the Cape.

The suit claims the Indians had possession of the land in 1790 when the Federal Indian Non-Intercourse Act was passed barring states for confiscating Indian tribal lands without federal approval.

AUG 18 1976

3 to 2 decision

Utes subject to U.S. laws, court rules

The Utah Supreme Court, in a 3 to 2 decision, has upheld a Fourth District Court decision which in effect rules that an enrolled member of the Ute Indian Tribe is subject to the law of the land and not immune from accountability.

Justice A. H. Ellett wrote the majority opinion upholding the decision of Fourth District Court Judge Allen B. Sorensen, who awarded \$28,000 in damages to Myron Brough, a non-Indian, from Ramon R. Appawora, an enrolled member of the Ute Indian Tribe.

Stephen G. Boyden, attorney for Appawora and the Ute Tribe, said today since it was a split decision the first step will be to petition the Utah high court for a rehearing.

He said if the outcome of that is unfavorable, the tribe will pursue the matter to the Supreme Court of the United States. "We have no alternative," he said. "We think they're wrong."

The case involved an auto accident on Nov. 13, 1974, on a county road about two miles south of Fort Duchesne in Uintah County, in which Brough, a pedestrian, was injured. A vehicle driven by Appawora struck another vehicle, triggering a chain reaction accident.

Appawora asked the Supreme Court to dismiss the action on the basis that the district court did not have jurisdiction over members of the tribe.

Ellett wrote that Appawora claims the reservation on which he lives "encompasses all the land within the drainage of the Duchesne River from the snowcapped mountains on the north to the snowcapped mountains on the south."

The justice said that because of a \$31.9 million settlement between the Ute Indians and the United States government about 25 years ago, the Indians lost all rights which they or their ancestors ever had to the land not theretofore allocated to them. Ellett said the settlement involved payment for lands on which the traffic accident occurred.

Citing former precedents in case law, Ellett said, "No longer can an Indian migrant carry about him a protecting mantle which makes him immune to the law of the land so long as he does not stray beyond the

snowcapped mountains to the north and south of the Duchesne drainage basin."

He wrote, "To declare the law to be claimed by the appellant would be to abandon all forms of due process and permit an enrolled Indian to commit crimes or torts at will and be immune from any accountability to the law of the land."

Justices J. Allan Crockett and F. Henri Henriod concurred in the decision.

Justices R. L. Tuckett and Richard Maughan dissented.

In the dissenting opinion, Tuckett said the Ute Indian tribe had not accepted state jurisdiction by a majority vote of the adult Indians living on the reservation.

He said the Indian reservation was established by Congress and only Congress could terminate the reservation or change its status.

He said the definition of "Indian Reservation" as defined by Utah law indicates that the rights of way running through the reservation are part of the reservation.

In the majority opinion, Ellett wrote, "The Ute nation no longer exists and descendants of the inhabitants of that nation are now citizens of the United States."

AUG 30 1976

Indian water system lacks filtering plant

By Jim Parsons
Staff Writer

Eagle Butte, S.D.

The Indians on the Cheyenne River Reservation have a new \$3 million water system that, for three or four months out of the year, churns out water that officials say is potentially unsafe for people to drink.

Virtually everyone originally involved in the project — the tribal leaders, the design engineer who monitored construction and the state and federal officials who reviewed the project — knew about the potential health problem.

Various experts and agencies said the water should be treated before people began drinking it. But no one insisted that a treatment plant, which probably would have cost an additional \$500,000 or so, be added to the project, which began operating a year ago.

"I guess everyone wanted the water so badly that they didn't care," said Joyzelle Rilling, the tribe's economic development director. "It doesn't taste bad or look too bad so who's going to worry about there being too many bugs (bacteria) in it?"

The South Dakota Department of Environmental Protection is worried. So is the Indian Health Service.

The federal government's department of Housing and Urban Development (HUD) is sympathetic but not concerned enough to come up with a sizable chunk of money to help remedy the situation.

HUD and the Economic Development Administration (EDA) put up most of the money for the project, which is called the Fox Ridge water system.

HUD was asked by the tribe and

South Dakota Sen. James Abourezk to allocate some of its emergency funds to help pay for a filtration plant. The department said no. A HUD official in Washington replied that on a scale of 0 to 20 the water problem only rated a 10 as a "threat to health and safety."

The official also said, "The project . . . is complete although it does not provide water that can meet the standards promulgated by the U.S. Environmental Protection Agency."

HUD did say the tribe should reapply for funds during the 1977 fiscal year.

Abourezk was irritated that the federal agencies could not come up with the money — estimated at \$600,000 to \$1.2 million, depending on the type of plant built.

"This appears to be the classic position taken within the (government) bureaucracy," Abourezk said last week. "They all point the finger of blame somewhere else and you know who gets caught in the middle—the people."

For the moment, Eagle Butte residents who are drinking the water aren't in any danger, the experts maintain.

The water-quality difficulties begin during the spring, when the heavy runoff increases the turbidity in the water, which is piped 23 miles from the Oahe Reservoir.

The increased turbidity means that more silt particles get through the micron screen that filters the water. These particles serve as a "hiding place" for bacteria that would normally be killed when chlorine is added to the water, according to state environmental engineers.

Tests show that turbidity is sometimes two or three times above the acceptable level but, so far, the bacterial count has never reached a danger level.

Should that happen, the town of Eagle Butte would have to reactivate the wells that formerly supplied water for its 1,900 residents and the hospital, school and other public facilities. Eagle Butte, the largest town on the reservation, has its own city council and is independent of the tribe.

Except for about 20 ranchers who have tapped into the pipeline, Eagle Butte is the only customer buying water from Fox Ridge, which has a \$352,000 loan to pay off.

The pipeline is the first phase of a water system that will provide drinking water to all the outlying communities on the reservation if about \$15 million is appropriated to put in 200 more miles of pipe.

At present, most of those communities get their water from cisterns that have to be filled by tank trucks. Ms. Rilling said some families probably use unsafe water from livestock dams or streams that are polluted.

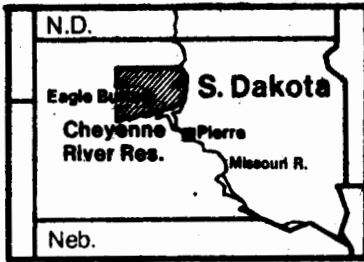
Tribal leaders said they didn't know they had a problem until the system was ready to operate. They hadn't been involved in the planning or construction, which began in 1973.

Julian Staven, the engineer who designed the system and later was hired to run it, said last week that he still doesn't believe a filtration system is needed, even though water-quality experts who reviewed the plans disagreed strongly on that point from the beginning. Staven retired last year.

In May 1975 the state wrote that unless filtration was provided the system would have to be "discontinued" or shut down during turbid periods.

But Donald Bogue, head of the state water hygiene division, said last week that he wouldn't try to

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EDGEWATER NEWS
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AUG 25 1976

shut down the system even if he had the legal authority, which is questionable. The warning was simply a statement of what should be done, he said.

Ms. Rilling complained that numerous agencies made that point but that no one followed through to make sure that the system would, in fact, produce clean water. That includes HUD, EDA and the Indian Health Service, which is part of the Bureau of Indian Affairs.

"It is a case of no one being at fault and, yet, everyone being at fault. And that," she added, "includes us (the tribe)."

NAC: Education key to Indian success

By BOBBIE BARNIER
Correspondent

UNEMPLOYMENT, POOR EDUCATIONAL opportunities and a lack of health facilities are problems that plague Uptown residents, but the Native American Committee, Inc. (NAC) is trying to provide solutions.

NAC started in Chicago in 1969 as an action group to support other Indian organizations in demands for better housing and to stop discrimination against Indians. From that point, NAC, with its main office at 4546 N. Hermitage, has expanded into a group of 200 members offering community services.

According to NAC director, Matthew Pilcher, the major emphasis is education. NAC has established opportunities for Indian children and adults, and is the only community group in Uptown offering this help, according to Pilcher.

The Alternative Education Center was established three years ago for children, age five to eight, who cannot or will not relate to the public school system. "There are a variety of reasons why these children attend our school," Pilcher said. "They may have emotional problems or language or cultural barriers."

THE CENTER NOW has an enrollment of 16 students and has expanded the age to 13. Pilcher said the attendance rate of the students is extremely high and cites individual attention as the main reason. "Some of the children have perfect attendance and it's because they receive special attention. It's a different situation than the public classroom with 35 students to a class and the teacher has little time for each student," Pilcher said.

According to Pilcher, Indian history and culture are emphasized at the school along with a basic education. Pilcher said there are plans to expand the school, but they are contingent upon additional funding.

The center is not an accredited school, but NAC is striving to achieve this goal. "All the teachers are Indians, but they are not accredited. We advertised for two months in Chicago for an accredited Indian teacher, but we couldn't find one," said Pilcher. The center has just hired an accredited teacher who is not of Indian descent.

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While NAC offers alternative educational opportunities for the young, it also offers General Education Development (GED) courses for Indian adults. The GED courses are for those who did not finish school and who want the equivalent of a high school diploma.

The NAC GED Adult Education Program has graduated eight students in the past two years, and the director of the GED program, Mike Limas, expects three more in the next two months.

There are 14 adults in the class, the majority female, Limas said. Marnie Corbin, a member of the staff, said, "Most of the women are going back for their kids, to show them that education is the only way out

and to find a better job."

ALMOST HALF of the students are planning on going on to college, Limas said. The GED program has a career counselor, and students are beginning to realize there are a large number of opportunities for them, Limas said.

In addition to the education programs, NAC has social services for youth and senior citizens, a media department, a resale shop and an arts and crafts shop.

While the 33-member staff is busy with these activities, NAC has plans to expand present programs.

The first goal NAC is working toward is finding a large enough building to encompass all of its groups. Right now, NAC is housed in five different locations and they are looking for one building. "We are looking for a location in the vicinity of Broadway, because our offices are not in the center of the Indian neighborhood," Pilcher said.

NAC is also looking into the possibilities of establishing a senior citizens center for Indians. Pilcher would like to see a center set up that could teach the crafts and languages of the Indians. "Most of the young generation has grown up in Chicago and has not had opportunities to learn the crafts or languages on the reservations their grandparents have," he said.

In the future, NAC would like to set up programs that would include a health clinic, training programs for nurses and teachers, and equipment and tools to

teach Indian arts and crafts.

All these projects require money, and Pilcher said NAC will have to turn to private foundations. "This year we received \$294,000 from the Department of Health, Education and Welfare (HEW) to run our programs. However, most of the money is for staffing and program development, and private foundations could provide us with the opportunity to do more," he said.

NAC estimates there are approximately 20,000 Indians living in Chicago, although the latest census claims there are approximately 10,000. According to Pilcher, the main reason Indians come to Chicago is for jobs, but the lack of educational opportunities may hamper that pursuit. This is the gap NAC's education programs are trying to meet, but it will take at least ten years for these programs to show impact, according to Pilcher.

MILWAUKEE SUN JOURNAL

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AUG 31 1976



EDITOR OF THE new, as yet unnamed, newspaper for the Indian community is Lee Thundercloud, shown at work with staff member Rita Beauprey in the paper's storefront offices at 1414 N. 27th St.

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New newspaper in town of, for, by Indian people

By KATHI RICHTER

For years, the lack of an effective means of communication has been a major obstacle in the Indian community here.

"The general Indian populace had very little access to information," observed Lee Thundercloud, a concerned member of that community who wanted to overcome that obstacle. "The Indian community did not have a means of communication to voice its concerns."

His efforts to change that situation were realized with the publication last month of what is believed to be the first newspaper in the area designed specifically for the Indian community.

Thundercloud said that most news affecting Indians was spread by word of mouth and was usually "old or wrong" by the time the community heard it — third or fourth hand.

A statement of purpose ran on the front page of the first issue saying that the editors of the paper "recognize the need for a responsive information and news source that will be responsible to the Indian people of Milwaukee."

"Our purpose is to respond to that need with a newspaper that will focus on Indian concerns and involvement with issues that affect Indians," the statement continued. "We will also promote

dialog between the Indian community and the organizations whose function it is to serve Indians."

In the storefront office at 1414 N. 27th St. that serves as headquarters for the as yet untitled newspaper, Thundercloud, 27, pointed out that "there are things going on that affect Indians and they don't know about them."

He said that he hoped the new publication would give the community a "sense that someone cares."

Also in the first edition of the paper, readers were asked to offer suggestions for a name for the publication. The suggestions will be printed in a later edition and readers will then be asked to vote on them.

Thundercloud feels that the major problems facing Indians in Milwaukee today are "generally not recognized outside of the community." He cited housing, unemployment and the education and welfare of Indian children as the main concerns.

Last summer, Thundercloud, who is a student at Milwaukee Area Technical College, said he "finally decided that I wanted to do something" for other Indians.

He decided to get involved by joining the National Indian Youth Council at MATC, where he helps Native American students with any problems they may face at the school.

Thundercloud also serves on the board of the Indian Urban Affairs Council, an umbrella organization for seven Indian groups in the Milwaukee area. It was at an IUAC board meeting last spring that the idea for an Indian publication was discussed and Thundercloud volunteered to head up the effort.

IUAC is providing funds for the paper, which Thundercloud hopes will continue publishing at least once a month.

The paper's staff of 11 is composed mainly of community volunteers who, with

Thundercloud, wanted to get involved. "No one here has any journalism experience," he admitted. "But they do everything from reporting to editing, to typing and mailing."

"Our basic interest is the community, to respond to it," he said. "That's the role of this newspaper."

Thundercloud said the paper is now trying to line up people to act as correspondents, letting the paper know of anything that might be of interest to others in the Indian community. Volunteers may contact him at the paper's office, 933-4100.

AUG 30 1976

BLAIR F. PAUL

The Indian: One Big Exception

Blair F. Paul, Seattle attorney, long has defended Indian causes.

WLE 297F

Congressman Lloyd Meeds' "Other Voices" column on the Boldt decision published by The P-I on Monday, August 16, inspires another opinion.

Query: In the year 2076 as we approach this nation's tri-centennial, will we still have special Indian fisheries, reservations, jurisdictional disputes, water rights controversies, and a Bureau of Indian Affairs with a budget of a billion dollars annually or its then equivalent?

Perhaps more importantly. Will the American native statistically still appear as if he suffers from a societal imposed policy of genocide?

We have had "Indian law" for our entire nation's history. The Bureau of Indian Affairs, was first created as a division of the War Department in the early 1890's. The American people, partly from a sense of well earned guilt, have expended millions and millions of dollars to save their conscience, but to what end? Despite all this special and unique attention to one race, the American native suffers, at least when one looks at the statistics, to a greater extent than any other racial or ethnic minority in the United States today.

One has to wonder why, when one looks at the amount of money and the amount of national attention we have paid to the problem. There are probably many reasons for this sad state of affairs, but I suggest that when one wades through the chaff, the most valid explanation lies in the fact that discrimination is as insidiously evil when one discriminates in favor of as well as against a race.

In 1954, the Supreme Court ruled in regard to school funding that "separate but equal" was inherently unequal. As school segregation existed in the South at that time, one can legitimately argue that the system was probably as evil to the

whites as it was to the blacks. Segregation or a separatist legal philosophy is unjustifiable no matter what its purpose, what its roots. But because we discriminate on behalf of the Indian we, as a nation, have failed to perceive the effect it has had on the American Native.

My hypothesis: That until the American Indian enjoys the same legal rights in his person and his property as all other Americans he is doomed to ethnic failure.

Judge George Boldt's decision in regard to Indian fishing rights in this state is perhaps the first time we have locally perceived an issue around which an analysis of the ultimate problem and solution might be addressed if only we, as a people, will permit ourselves to see the forest rather than the trees.

While the Boldt decision, as my family and I have argued for 50 years, is sound law and should have been recognized years ago, it is not sound fisheries policy and it is not sound national policy.

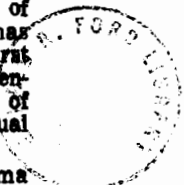
I leave it to others to defend Judge Boldt's decision, but despite the fact that I believe the decision is good law, it is bad fisheries policy irrespective of the various property rights that are involved. For years previously, fisheries management regulated only portions of the fish runs, distinct and basically irrespective of what happened in other segments of the run. The effect of that was to preclude Indians from a reasonable return in the streams while others were effectively unregulated. Historically, fisheries management failed to regulate dams and industrial polluters of our creeks, rivers and confluences; there were complicated overlapping jurisdictions between the federal and state bureaucracies and even within the state such as State Game Dept. regulating steelhead and State Fisheries Dept. salmon; and of course we cannot forget the federal government's failure to protect our coastal waters from foreign fleets of ocean trawlers just beyond our six mile limit.

With the Boldt decision, the failure of fisheries to regulate the run of fish as a unit ended.

But while Boldt removed the discriminatory system in regard to the biological nature of a run of fish, he imposed a discriminatory pattern in favor of the Indian creek fisherman. From a fisheries management standpoint, either system is intolerable.

Worse, the Boldt decision, as it represents one small aspect of the national policy toward Indian affairs, is bad national policy. The American Indian represents one of the most wealthy economic entities in the United States today. In this state the Colvilles "own" over two million acres of prime Eastern Washington lands; the Yakimas over a million. These two tribes represent the first and second largest nongovernment land owning entities in the state. The timber and other rights of the Yakimas give them a mind boggling annual budget.

And yet, who that has traversed the Yakima nation hasn't been aware of the incredible visible poverty and all of its degrading symptoms. In this year, 1976, there are many Yakimas who speak no English whatsoever.



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Why? The Yakima nation, like virtually every other reservation tribe in the nation, is a legally insulated discriminatory enclave for the "benefit" of its enrolled members. Most of the lands and much of the property of the tribe are held in common. These properties are not in the free chain of American commerce. They are for the most part inalienable and any contract involving their use with the tribe must be approved by the Secretary of the Interior.

Many tribal governments are in the process of buying back lands which left tribal control as a result of certain Federal legislation late in the last century. This land, therefore, is being brought

back into the fold of inalienable lands held by the tribe for the benefit of the tribe. Many other lands which were allotted in the late 1880's, by this date have thousands of undivided interests in small tracts precluding their economic viability to anyone, including the tribe. Non-Indian ownership on reservations is restrained by law and rights such as off reservation fishing are non-transferable to others. They are tribal rights, not individual.

Indian reservation communities seldom have any kind of an industrial base and seldom does a community offer a variety of professional services. Seldom does an Indian youth raised on a reservation perceive the occupational opportunities available in 20th Century America until long after he has lost any opportunity to acquire the skills necessary to function beyond the borders of the reservation.

Despite the purpose of the Bureau of Indian Affairs to insure that the lands and assets of tribes are not spirited away by the unscrupulous, the long and short of bureau negotiations on behalf of tribal entities is that frequently contracts which are entered into are far less advantageous to the tribe than had aggressive business negotiations been carried on by the tribe or its representatives.

Indeed, the sweetheart relationships that exist among an occasional tribal leader, BIA officials and the timber industry for example lead many to conclude that if there has not been outright fraud in the execution of contracts, there certainly have been obvious incidents of conflicts of interest and the denial of even an appearance of fairness.

Individual natives own nothing as an Indian which can be identified as theirs alone. Everything is held merely because of ones status as an Indian. Frequently an Indian marrying outside of the tribe denies his children any birthright he may be able to transfer to them. For example, for years a Yakima had to have at least equal a quarter blood to inherit any rights as a Yakima.

That is probably the most obvious instance of legally prescribed discrimination in the nation. By definition, such blood quantum requirements are racist. Indeed, they almost strike of legal incest.

The solution, in my opinion, requires the adoption of an entirely new policy of the United States toward Indians. Thirty years ago, the Congress of the United States began a policy of termination of Indian reservations throughout the Country. To anyone familiar with the per capita distributions that occurred in Klamath, Oregon and Menominee, Wisconsin, it is hoped that experience will never be repeated again. But the concept of ending federal protection and federal involvement of a special nature with Indian tribes was then valid and remains valid today.

But there is also a new model which offers the American people an alternative to that experience which is already showing great attributes of bringing the American Native into the 20th Century. As a result of the Alaska Native Claims Settlement Act (ANCSA), tremendous economic wealth was paid to the Alaska natives for the extinguishment of their aboriginal rights within the state. Thirteen Regional Corporations (not reservations) were established, all organized under the Alaska Corporation Act. One of those corporations has already been identified within the guidelines of Fortune's top 125 corporations. Several others probably also qualify. By the turn of the next century, well into the billions of dollars will flow through these corporations. They will be taxed, they will pay their way in the State of Alaska. Some of these corporations most assuredly will probably fall or at the very least be marginal. But those which succeed will give their Native stockholders the ability to participate in 20th Century economic life.

ANCSA was and is one of the most complex bills ever enacted by Congress. It took six years of one of the most vigorous fights the Congress of the United States has ever experienced in its committees and on its floor. After all, it ended 50 years of neglect and injustice and also awarded a billion dollars and 40 million acres of valuable land to Alaska's Natives.

A bill to do likewise state-wide would be vastly more complex. Here we have treaty rights (none in Alaska), perhaps 50 times the number of natives, a dozen times the tribes and several times the land mass. But it is conceivable to accomplish and even more importantly, imperative to native survival.

A country divided itself against itself cannot stand. Because the numbers of native Americans are not really a significant percentage of the American people, the tragic status of the American native seldom reaches the proportions where it threatens our society. But the native is losing today and will continue to lose until he finds himself within the economic mainstream of America.

The American Indian has been a citizen of the U.S. since 1926. He has fought in our wars and whether citizenship had been granted or not, has been an American for a long time. To return to such a time denies history, denies survival.

The answer, as the Alaskan native has learned, lies in his ability to deal on the basis of equality with all economic entities existing in the United States today. As to most reservation rights, the answer lies in a congressional alteration of the institutions into corporate entities much as Alaska's counterparts. For more in-choate rights such as off-reservation fishing, the answer lies in the condemnation of such rights and the payment of dollars to the property owners. Reasonable fisheries management requires the end of such interests but to accomplish it requires the payment of substantial monies to those who would lose the right.

The U.S., it has been said, recognizes no color, racial, religious or ethnic lines. For the most part that is true with the one glaring exception of the redman.



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September 25, 1976

THE WASHINGTON POST

Saturday, Sept. 18, 1976

A 3

Armed Indians Block California River

By Bill Richards

Washington Post Staff Writer

KLAMATH, Calif., Sept. 17—A complex land dispute in this Northern California wilderness area has escalated into an armed confrontation between authorities and a band of Indians who have cut off a section of the Klamath River at the height of the salmon-fishing season.

The action has provoked fears here among officials of a repeat of the clash four years ago between Indian activists and lawmen at Wounded Knee, S.D., after armed Indians seized land there.

The Indians and their sympathizers here, whose numbers have varied from 15 to more than 50, have been conducting what they are calling a "land convention" since Aug. 20 in a redwood grove 14 miles from the mouth of the river.

The encampment was undertaken to protest what they claim was fraudulent transfer of Indian lands a half century ago to white timber interests with the complicity of the U.S. Bureau of Indian Affairs.

Most non-Indian campers have been sent away from the isolated site here, which is owned by a Seattle timber company, and visitors to the encampment are met by Indian guards carrying rifles.

Last week tension over the gathering mounted when the Indians hung a rope and nets across the Klamath and declared the river off limits to all but those boatmen they allow to pass.

A tour boat carrying 47 passengers and a local constable attempting to serve a court restraining order on the Indians was turned back by armed Indians. A shot was fired over the boat but the Indians claimed the shooting was done by an outsider who was not a member of their camp.

Federal officials, who have jurisdiction over the river, and the Humboldt County sheriff's department seek to avoid worsening what county district Attorney John Buffington today called "a potentially explosive situation."

Margaret Carlson, a 38-year-old Yurok Indian and the leader of the land convention, said the Indians and their followers do not plan to leave the grove until their land claims are settled in court.

"Our grandparents were cheated out of most of their land along the river 50 years

ago," she said. "Those buyers went to old people who couldn't read or write and got them to turn over their land piece by piece for a \$10 gold piece."

Carlson has a stack of photo copies of deeds and legal papers she says she found six years ago in the attic of her grandparents' home near the present encampment. The documents include copies of deeds signed with crude X's turning over ownership of land along the river to an eastern land company or to local land agents.

The Indians blocked the river, said Carlson, because tour boats and fishermen were crossing through an area that she said belongs to the Indians.

"Our ancestors are buried along that river," she said. "They're not monkeys or strangers to be gawked at."

No formal action has been brought against the Indians by the Simpson Timber Co., the Seattle firm that owns the redwood grove and about 20,000 acres of land along the river. William Carson, an attorney for the timber company, said the firm did not want to provoke violence by forcing the Indians off the land at this time. "They're not there with our consent but

we haven't asked the sheriff to throw them off yet either," he said.

The Indians have been served with a court order against their blockade of the river and the U.S. attorney's office in San Francisco, representing the Army Corps of Engineers, yesterday filed a cease-and-desist order against the rope and net barrier.

The Indians have closed off most of the

32 navigable miles of the river. Norton Toobey, an attorney for the Indian encampment, said the action rests on a California court of appeals decision from last year. The decision, in a case known as Arnett vs. Five Gill Nets, prohibited the states from preventing traditional Indian gill net fishing on private lands stretching one mile on either side of the entire river.

Local, non-Indian fishermen here said, however, that traditionally gill nets were never stretched across an entire river and they charged that the Indians acted to provoke a confrontation.

Al Larson, owner of the Klamath Jet Boat Cruises, which runs three tourist boats on the river, requested the court order against the Indians' blockade last week. Larson also sued the group for \$200,000 in what he said was lost business because of the blockade.

The Klamath is one of the busiest salmon fishing areas on the West Coast and Larson said nearly 25,000 fishermen use the river every year. He said the blockade cost him \$600 a day in lost boat rentals and tours last week.

Larson said the Indians had demanded cash payments at first to pass, up the river and later asked for a deerskin and assurance that only his smallest boat would use the waterway.



Cont'd

"This is the 20th century," he said. "They're nothing but a bunch of renegade Indians who don't have support from the real Indian deer hides with people like that." community and we don't deal in money or

A 8

THE WASHINGTON POST

Monday, Sept. 20, 1976

Senate Panel Calls Indians Group A Minority Dedicated to Violence

Associated Press

The Senate Internal Security Subcommittee said yesterday the American Indian Movement is "a frankly revolutionary organization which is committed to violence."

"The American Indian Movement does not speak for the American Indians," the subcommittee said. "It is a minority movement which, at the most, numbers several thousand followers."

These were among the findings in a subcommittee report, released yesterday, based on testimony and documents received from Douglass F. Durham, who infiltrated the AIM for the FBI.

Durham, testifying at a closed-door hearing on April 6, said the AIM is a violent group dedicated to the overthrow of the government.

"They have trampled the civil rights

of Indian, as well as non-Indian, citizens in the country," he said. "They are in cooperation with Communist groups, within the United States, Canada, Puerto Rico, Cuba."

Leaders of the AIM were not available immediately for comment.

The subcommittee said the AIM has many foreign ties—with Cuba, the People's Republic of China, the Irish Republican Army, the Palestine Liberation Organization and organizations in various European countries.

It said the AIM also "has maintained contact with and has received propaganda and other support from a larger number of left extremist organizations" in this country.

The report said these include the Weather Underground, the Communist Party, the Symbionese Liberation Army, the Black Panther Party, and the Prisoners Solidarity Committee.

A 20

THE WASHINGTON POST

Tuesday, Sept. 21, 1976

AIM Appraisal Challenged

MAHNOMEN, Minn.—A spokesman for the American Indian Movement criticized a Senate subcommittee report describing the organization as "revolutionary" and "committed to violence."

Vernon Bellecourt, AIM's national field director, said the Internal Security subcommittee investigation was a "stacked deck" in which AIM views were not sought.

Bellecourt attacked the subcommittee's chief witness, FBI informer Douglas F. Durham, as a "pathological liar" and an "errand boy" who never was in on important AIM decisions.

The Senate unit report said AIM does not speak for the American Indian, calling it "a minority movement which, at the most, numbers several thousand followers."

The subcommittee acknowledged that its report was based on testimony by Durham, who it said infiltrated AIM for the FBI. Durham said he was paid \$20,000 by the FBI for expenses.

From staff reports and news dispatches

SEP 10 1976



Colorado appointment

Mrs. Marilyn Youngbird Martin, an administrator of the Federal Bureau of Indian Affairs, has been appointed executive secretary of the new Colorado Commission on Indian Affairs, it was announced by Lt. Gov. George Brown, chairman of the commission created by the 1976 Colorado General Assembly.

WASH. STAR 9-23-76

Indian Affairs Bureau Chief Quitting

ANCHORAGE, Alaska — Morris Thompson, the first native American to head the federal Bureau of Indian Affairs, is resigning to become vice president of Alcan Pipeline Co. Alcan is a subsidiary of Northwest Pipeline Corp. of Salt Lake City and one of three companies competing for federal approval of a natural gas pipeline from Alaska's Prudhoe Bay.

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THOMPSON

ANCHORAGE, ALASKA (AP) -- MORRIS THOMPSON, THE FIRST NATIVE AMERICAN TO HEAD THE FEDERAL BUREAU OF INDIAN AFFAIRS, RESIGNED TODAY TO ACCEPT A VICE PRESIDENCY WITH THE ALCAN PIPELINE CO.

THOMPSON BEGINS HIS NEW DUTIES NOV. 3.

AN AFFILIATE OF THE SALT LAKE CITY-BASED FIRM, NORTHWEST PIPELINE CORP., IS ONE OF THREE COMPANIES TRYING TO WIN FEDERAL APPROVAL FOR A NATURAL GAS PIPELINE FROM PRUDHOE BAY.

THOMPSON, AN ATHABASCAN FROM TANANA, ALASKA, WAS APPOINTED COMMISSIONER OF THE BUREAU IN 1973.

09-22-76 20:06 EDT

AUG 22 1976

Indian fishermen face day's ill luck on Columbia

By BOB OLMOS
of The Oregonian staff

CASCADE LOCKS — Early morning sun dapples the Columbia River surface as Harold Green's Fiberglas boat heads for the nets he's spread out in eddies and backwaters.

Another day of fishing is under

way. Will he be lucky or unlucky?

"Last year, I made \$1,800 in one day. We had to work hard to make it but we did," grins Green, a Warm Springs Indian who fishes out of tribal riverside campgrounds here.

Green, his family and his crews have been at the campgrounds since spring, sometimes fishing for the tribe but mainly fishing for livelihood.

They live in a trailer, a tepee. They use several small surrounding buildings for sanitary needs and for drying out salmon strips and lamprey eels that are later worked into stews.

In late fall, they will return to Warm Springs, where the men will try to find work as tree trimmers.

"Fishing hasn't been good lately," says Green, as his turquoise-ringed hand guides the boat's steering.

He comments on the recent court action that allowed non-Indian gillnetters an additional two days of downriver salmon fishing.

"All that means is less fish for us and, like I said, fishing hasn't been too

good lately," he says grimly.

"I've had some trouble keeping my boat in the marina. The battery was thrown in the water and wires on the boat were cut. I don't know who did it. So now I don't leave it at the marina overnight. I take it to the campgrounds," Green says.

The \$5,000 boat, which Green bought through the Confederated Tribes' credit department, approaches the first of five nets spread out at registered sites.

Four pair of arms, including those of small Arnold, tug to pull the heavy, nylon net, about 300 feet long, out of the water and over the boat.

Only driftwood and river weeds are snarled in the mesh.

There is no luck, either, at the second net.

In the third, a newly caught Chinook, estimated to be about 10 pounds, struggles, slapping the water in frenzied thrashings.

But it is the only fish in the net.

"They talk about Indians depleting the river supplies," Green says, adding

as he points to the lone Chinook lying in the boat bottom, "But you can see what we get."

Better luck awaits the party, though. Another net yields a Chinook that later will weigh out at 28 pounds on the buyer's scale.

The boat swings to bankside scaffolding, from which dangle dip-nets. These, too, are checked.

The sun, now arching over Mt. Hood, makes silhouettes of the figures on the scaffolding and, for a moment, they resemble drawings of turn-of-the-century Indian fishing scenes.

Only four fish are caught in the morning run. They are added to the catch of the previous night, which is stored among wet burlap sacks in a campgrounds bin.

At the campgrounds, a Vancouver, Wash., buyer hands Green a check after the fisherman has filled out required forms — "one for the game department and one for the fisheries department."

Total earned from the two catches: \$55 for 79 pounds of fish.

It has not been another \$1,800 day.

AUG 30 1976

Crow Traditions May Outlive Coal

PAGE ONE

By Paul G. Hayes
of The Journal Staff

Crow Agency, Mont. — The outcome of the struggle between the colt and the boy was foreordained. The boy would win.

The boy was 15, reed slender, his long black hair held by a red headband. He worked silently, but confidently. A dozen youngsters ranging down to toddlers watched and learned from the corral fence.

The colt was a week old, brownish red, spindly, a wild beast. It, too, fought silently, transferring all its strength to its four thin legs stiffly to resist the boy's pull on the rope at the other end.

As both pulled, the noose tightened around the colt's neck. Its tongue hung out at one side of its mouth, its wind was choked off, its eyes glazed.

Exhausted, the colt would fall on its side with a thud that raised a puff of dust.



But it got no rest, no time to gather strength and resolve, no chance to draw a sufficient breath. The boy was on it instantly, biting the colt's ear with such force that the colt had to struggle up to stop the pain.

Then the pulling resumed. It would go on as long as necessary. The boy would win when the colt, rejecting

its instinct to pull against the rope, took a single step forward.

In that one step, it would learn that the pull was a signal to go forward. Its memory forever would be locked in place by the pain of the biting, the exhaustion, the suffocation. It would be a step from instinctive freedom into a life of loyal bondage.

The boy was doing much more than breaking this colt. He also was teaching his younger brothers, who watched closely from the fence, knowing that they'd be expected to do the same in a few years.

The Great Plains Indians were successful because they knew horses.

That culture still is alive on the reservations of southeastern Montana. Children of 6 or 7 ride easily and do so daily.

The horse was a necessity when the Indians were nomadic hunters who followed the seasonal movements of the bison. Now the bison are gone, and the reservations are mere pens compared with the former fenceless range.

Land Gives Life

The reservation has become a number of things. To some, it is simply the concentration camp into which unwanted persons were herded. The US government allotted reservation land as a means to transforming nomadic hunters into farmers in a single generation.

To the Indians, the reservation is everything. Outsiders may loathe the idea if they like, but without these lands, the tribes, the very identities of the Indians, would vanish.

"We are Indian because we are land based. Without the land, we are not a nation," said Angela Russell, director of coal research for the Crow Reservation of some 2,200,000 acres. There are 4,300 Crows here.

But the reservation is home to all 6,000 Crows, whether they live on the reservation or not. It is where their language is perpetuated, where

Cont'd

The old family relationships are maintained, where some cultural sinews still stretch back to the days of freedom.

Without the reservation, the Indians become individuals, some successful, some not, some in cities, some on farms, some to intermarry with whites, some not. Their culture would dissipate.

Not All Agree

That isn't to say that the reservation is sufficient — poverty shouts that it is not — or that the Indians themselves are unanimous about maintaining the land as the foundation of tribal identity.

K. Ross Toole, a Montana historian, notes that under President Dwight Eisenhower there was an effort to weaken, if not do away with the reservation, to ease the Indians out, if necessary, and bring them into the mainstream.

That policy has been reversed. The new militancy did that, the compulsion of the angry young to know the history of oppression, to hate the oppressors and to identify as Indian, to set themselves apart from the rest of us.

Certainly not mainstream.

Indian identity has always been an elusive problem. Diverse forces are always colliding, always changing.

But for two tribes in southeastern Montana, the complexity is intensified by the presence of coal.

Billions of tons lie under the eastern end of the Crow reservation and underlie all of the Northern Cheyenne reservation.

Angela Russell is the sister-in-law of Pat Stands Over Bull, the Crow tribal chair-

The Northern Cheyenne, who helped defeat Custer, control huge deposits of coal that they won't allow to be mined — yet. Story in tomorrow's Journal.

man. Their offices are in different wings of a converted motel here in Crow Agency.

Kindly Strained

The traditional relationship of brother-in-law and sister-in-law, said Angela, is based on good natured kidding. But, in this case, it was clear that the relationship had been strained by the coal question.

The Coal Research Office has attempted to research the alternatives to developing coal on the reservation and inform the tribe of these alternatives, so it can make enlightened decisions.

The office has stressed the environmental and social effects of coal development in northeastern Arizona on the Navajos there.

"Angela is my sister-in-law," said Pat Stands Over Bull. "But her ideas and mine are totally different. I do what the tribe feels, and she's 100% environmentalist. The Coal Research Office represents one part of the tribe."

Several Factions

The Crow tribe is democracy carried to its ultimate paralysis. Each adult has a vote in tribal policy, and 100 adults assembled at any one time is a quorum for conducting tribal business.

Pat Stands Over Bull said the tribe wanted coal development, with controls. But he has his problems. He was elected chairman this spring with a handsome plurality over five other candidates.

But last June, about 500 Crows gathered on a Sunday and elected a rival chairman, the candidate who had finished fifth in the spring election.

"This group represents the cattlemen. They have non-Indians behind them and they don't want any coal development," said Stands Over Bull.

Suspicion of Whites

Overshadowing the tribal divisions, too, is the ever present belief that somehow, inevitably, the tribes are going to be cheated by the white man. The Crows believe they came within a whisper of being swindled again this time.

The big energy companies became interested in southeastern Montana coal in the late 1960s, securing permits to explore, with options to lease the land and mine the coal later. The companies dealt with the Bureau of Indian Affairs (BIA), a division of the Interior Department.

One of the companies, Westmoreland Resources, signed a lease in June, 1972, and began to mine Indian owned coal on so-called "ceded area" land north of the reservation. The company was to pay the Indians 17.5 cents for each ton of coal it mined. (Ceded areas were lands removed from the reservation, usually by acts of Congress, and made available

to homesteaders. Much of the land remained unused and, in some cases, was returned to the reservation. In any event, the tribe retained ownership of the minerals under the lands.)

Another Bad Deal

In 1973, however, the Crows awoke to the newly escalated value of the coal. Mainly, they learned what some other companies were paying other people in royalties.

To make a long story short, they believed themselves to have been taken again, this time by a conspiracy between the BIA and the coal companies.

"We were operating in a vacuum of little information," said Angela Russell. "And much of the information was company information."

With a grant from the Native Americans Program of the US Department of Health, Education and Welfare, the Coal Information Office was formed.

"We sued," she said. "We named the federal government as defendant and we charged that there were many violations of the federal codes in the leases, that the federal government had violated the National Environmental Policy Act, that the federal government didn't uphold its responsibility for informing us so that we could make informed decisions."

40 Cents a Ton

Suddenly, she said, the companies were eager to renegotiate the amount of royalties that the Indians would be paid.

Westmoreland agreed to pay the Indians 40 cents a ton or 8% of the selling price of coal per ton, whichever was higher. Royalties for coal that already had been committed to the Northern States Power Co. were to be increased gradually.

The other companies, she said, were afraid they'd lose control of the coal. They were willing to renegotiate the compensation to the Indians, but not their right to work the land. One possible outcome of the Indians' suit, which is pending, is that the earlier agreements will be declared void.

Pat Stands Over Bull is dissatisfied with the work done by the Coal Research Office so far.

"We still don't know about how to develop the coal. The coal office finds only the bad things about coal mining, the pollution and so forth. We

also need to know about the long range problems like water."

To Regain the Land

Then the motives behind Stands Over Bull's desire to develop coal become plain.

"Almost half of our reservation is controlled by non-Indian lessees, ranchers and others," he said. "We need money to buy our land base back."

"Some of these long term lessees are retiring or they've died, and the tribe has an opportunity to get the land back."

"The land is what we have. It's a renewable resource. Yet some of these areas have made several millionaires out of non-Indians."

"The tribal situation is that we're always broke. Well, we've got money there, in those resources in the ground."

"We're not talking to the coal companies now because of the court suits. But we want a share of the profits. To hell with royalties; that's obsolete. We don't want royalties. We want joint development. We want a piece of that good, black rock."

"This is the last big bonanza. We don't want to get ripped off again."

Suit over killing of Indian rejected

By GWENYTH JONES
Minneapolis Star Staff Writer

The father of a 15-year-old Indian youth killed by a Bureau of Indian Affairs policeman Nov. 25, 1972, cannot collect damages, U.S. District Judge Earl R. Larson decided yesterday.

Leo F. Desjarlais Sr. and his wife, who has since died, had filed a \$500,000 suit against the federal government and eight policemen allegedly connected with the incident, in which his son, Brian, was killed.

Larson's principal finding was that James Bailey, the Red Lake Reservation policeman who shot young Desjarlais, did so in self-defense.

HE ALSO found that Bailey and other officers who came to the scene did not act improperly in not calling for medical assistance when they concluded that Desjarlais was dead.

The Desjarlais family charged that bureau police conspired to harass youths on the reservation, that they tried to "cover up" the shooting afterwards and planted a shotgun under Brian Desjarlais's body.

Larson said there was no evidence to prove the charges.

The fatal shooting occurred after police got a complaint that there was shooting near a private home in Red Lake. Some shots had been fired at a police squad car and, shortly before Desjarlais was killed, Bailey had heard an exchange of gunfire between fellow officers and the person who was later identified as Desjarlais, Larson found. The officers were searching for the persons who had done the earlier shooting.

Mpls. Star

SEP 11 1976

LARSON FOUND that when Bailey first saw Desjarlais he ordered him to stop and drop his weapon. Desjarlais continued to move toward Bailey and raised his weapon, apparently to fire at Bailey, Larson said, and Bailey then fired the single shot that killed Desjarlais.

After the shooting, Bailey called Richard Leonard, supervisor of the reservation police force. Larson said Leonard, an officer of 22 years experience, concluded from the massive head wound Desjarlais had suffered and the absence of vital signs that the youth was dead and medical assistance was not necessary.

The presence of a gun under the body was corroborated by a photograph taken immediately after the shooting, Larson said.

There was no evidence that any of the defendants withheld information, made false statements or took any other action to cover up the true facts of the shooting, Larson found.

SEP 9 1976

Getting Honor for Indians Like Shooting for a Star

HOUSTON — (UPI) — An engineer who helped send satellites and astronauts into space is having difficulty getting a resolution through Congress to honor the first Americans — the Indians.

National Aeronautics and Space Administration engineer Jerry Elliott, a member of Oklahoma's Osage Indian tribe, worked on the Gemini, Apollo, Skylab and Apollo-Soyuz space missions but said he could not get a Native Awareness Week declaration from Congress.

"For months, all our congressmen had to do was call the offices of Rep. Theodore Risenhoover (D., Okla.) or Sen. Lloyd Bentsen (D., Tex.) and say they support the resolutions, that's all," Elliott said.

"This celebration and education week is all positive. No funding is required. There is nothing controversial about it. I can't see how anybody would say they will not

support it."

Elliott's resolution already has been endorsed by Govs. Jerry Brown of California and David Boren of Oklahoma. He said it also had the support of the mayors of Oklahoma City and Los Angeles.

If the campaign is successful, the week would be Oct. 10-16.

Elliott's effort began, he said, when he realized most of the American Indians' problems stemmed from lack of understanding.

"There are American Indians in medicine, engineering, education, law, in all areas of life in this country today," he said.

"There are two ways to go about this type of thing. The first way (militancy) has failed. The way I am going, working within the system, is right. But we have been unable to reach the hearts of those who could make this a reality. It hasn't happened."

MILWAUKEE SENTINEL

MILWAUKEE, WISC.

D. 180,349

SEP 11 1976

Job Policy Rapped In US Indian Bureau

Sentinel Washington Bureau

Washington, D.C. — Nepotism, favoritism and tribal power determine hiring practices in the Bureau of Indian Affairs, according to a management study released here Friday.

Outside consultants who studied the bureau said that \$112.9 million a year could be saved by improving hiring and management practices.

The report was prepared for the 11 member American Indian Policy Review Commission, which was established by Congress last year.

Miss Ada Deer, of the Menominee Tribe in Wisconsin, is a member of the commission. Its executive director is Ernest L. Stevens, a Wisconsin Oneida Indian.

Some of the sharpest language in the 59 page report

was aimed at the way the bureau administers Indian preference in hiring and promotion.

Since 1934 the bureau has been required to give preference to Indians when hiring and promoting employees. The bureau now has about 18,000 employees and an annual budget of more than \$1 billion.

According to the report, many non-Indians have left the bureau because of Indian preference. A policy of seeking Indians to fill every vacancy has restricted promotions and transfers.

Staffing is "erratic," and the bureau does not try to recruit qualified employees at colleges and universities, according to the report.

"Indian preference demoralizes Indian as well as non-Indian employees," the outside consultants stated.

TULSA, OKLA.

D. 117,736 SUN. 193,984

SEP 9 1976

Tribal Meet Plans Disputed

By a Staff Writer

DEWEY — Indian Commissioner Morris Thompson was asked Wednesday to cancel a Saturday meeting here of the Delaware General Council to consider removal of the tribe's board chairman.

Thompson said he scheduled the hearing after he was "advised that the tribal chairman has refused or failed to respond to such a request by the tribal grievance committee."

However, Howard Barnes, grievance committee chairman, Wednesday said the request for a hearing on charges involving Chairman Bruce Townsend, Tulsa, was "void" because it stemmed from an unscheduled meeting of three committee members and cannot be supported by evidence.

Barnes said he had not called the meeting attended by Wathene Young, Scott Secondine and Mary Watters. They signed a June 28 resolution calling for a hearing Barnes said.

The June 28 resolution also called for a hearing to consider removing board vice-chairman Henry Secondine and secretary Mary Townsend Crow.

Barnes said he met with grievance committee members William Thompson and Miss Watters and resolutions asking Thompson to cancel the meeting were approved.

Barnes said he could find no evidence to support the removal of the tribal officers. Barnes said he hoped to have a decision on the status of the general council meeting from Thompson by Friday.

The management study was conducted by 11 business executives under the direction of Warren King & Associates, Inc., of Chicago.

SEP 7 1976

Shoalwater Indians retain tradition of hospitality

JK 297F
TOKELAND, Wash. — When white men first came to Shoalwater Bay 150 years ago, they found a small band of Indians living in a sheltered cove on the north shore.

The band had strong family ties with the Quinaults up the coast and the Chehalis people to the east and provided a way station for Indians traveling south to the Columbia River to fish or pick oysters in the tide flats of the bay or trade with inland tribes.

They were peaceable people who fed everyone who passed their way on bountiful supplies of salmon, oysters, wild fowl, clams, wild fruit and game. When James G. Swan, one of the Washington Coast's earliest historians, came among them in 1852, he found their life so pleasant that he spent three years there.

Today, the Shoalwater people live on a mile-square reservation north of Toke Point; the bay was long ago renamed Willapa, and their way of life is gone, along with the plentiful food supply.

But one thing remains the same: The Shoalwater Indians still provide a stopping place along State Highway 105 for people on their way to somewhere else.

Their latest offering to capture the travelers' interest is a full-scale Indian and old-time museum built by Alfred, Myrtle and Eugene Landry close to the Smoke Signal tobacco shop, where they have sold tax-free cigarettes for several years.

Designed by Fred Landry and built by Wayne Swigmer, a Sioux, with a few helpers, the building's weathered-board front is almost covered with the hand-painted green and black head of a mythical sea serpent.



WORK OF ART — Fred Landry, designer and co-owner of Smoke Signal Museum, made Chippewa war bonnet when he was young. It is among artifacts exhibited in museum, which is located near Tokeland, Wash.

The stockade-type walls, the beams and crosspieces are of unpeeled logs brought from nearby woods, giving the big building the feeling of a traditional bark-roofed longhouse.

Inside are all manner of treasures from both Indian and white history, reflecting the close relationship the Shoalwaters have always had with the whites.

"Some of the exhibits are things we

naulits. In canoes just like it, Mrs. Landry's father and grandfather and their friends used to sound the Wallapa channel every spring.

When Swan wrote of the Shoalwater tribe in 1852, he described their custom of binding the heads of babies in high-ranking families so that the forehead was flattened and the head lengthened as the child grew.

Although Mrs. Landry's father was the son and grandson of chiefs, his head was only slightly elongated. Her grandmother told her why.

"Grandma would put my dad in his cradleboard with the headpiece pressed against his forehead. But Mrs. Kindred would come to visit every day and would take the band off his forehead. As soon as she left, Grandma would put it back on, but my dad's forehead never was flattened like Grandpa's."

Grandpa George Charley, she said, could not wear a ready-made hat. He had to have a hat steamed and fitted especially to his head.

"Mrs. Kindred" was Elizabeth Kindred, daughter of the first white settlers on Toke Point, who played with the Indians in her childhood and remained close to them all her life.

Her invaluable Indian basket collection is in a Washington State museum, but Mrs. Landry's own lifelong collection is in the basket corner of the Smoke Signal museum.

There is no admission charge to the museum. "We want children to be able to come whenever they want," Landry said. Although fine turquoise jewelry and amulets are sold in the tobacco shop, nothing is for sale in the museum except the paintings of the Landrys' son, Eugene.

used once long ago," said Myrtle Landry, daughter of Roland Charley, the Shoalwater's last hereditary chief.

Some of the trade beads in a glass case came from the old tribal cemetery, renovated last year, where Shoalwater chairman Earl Davis was buried a year ago.

Another museum memento is a cedar-log canoe burned and carved out by Cleve Jackson, an old chief of the Qui-

SEP 10 1976

INDIANS DEFY ORDER TO CEASE RIVER BARRICADE

KLAMATH (AP)—A stubborn band of Indians maintained their rope and net barricade Thursday across the salmon-clogged Klamath River, ignoring a court order to reopen the scenic stream to sport fishermen.

"We're really evaluating what our next step is going to be," said Lt. Col. Karl S. Schmid, deputy district engineer for the Army Corps of Engineers. "We haven't decided yet, but should know what action is going to be taken with the next day or so."

"I hope it doesn't come to force," he added. "We are trying to avoid trouble."

The Indians have strung fishing

nets and a rope across the river about nine miles from its mouth to ward off boatfuls of sportsmen who flock to the Klamath for its famous late summer salmon run.

About two dozen Yurok Indian tribesmen put up the nets Tuesday. Two days later—in the face of a Corps of Engineers cease and desist order and a court restraining order—the Indians kept guards on the river.

"We are trying to fish the way our ancestors did," said Margaret Carlson, a Yurok spokeswoman. "There is nothing within any law that can stop us from doing this."

On the other side is boat owner Alvin Larson, who filed suit asking for a temporary restraining order against the Indians. Larson claims he's losing up to \$600 a day each day his boats can't ply the river.

"I've been in this business for 30 years," he said, "some of our people have been coming back every year. They're real disappointed."

The blockade is the latest development in a dispute that began Aug. 20 when the Yuroks served notice that campers along the rivers were trespassing on Indian land.

Much of the disputed land along the river is owned by a timber company, but the U.S. Supreme Court last year gave the Yuroks reservation rights to the riverbed and to a mile-wide strip on either side of the Klamath.

The court also ruled the Yuroks could fish with controversial gill nets, previously banned under state laws aimed at protecting the salmon-spawning sites.

THE ARIZONA REPUBLIC PHOENIX, ARIZ.

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SEP 10 1976

Apaches' rights

The recent controversy regarding the sale of the White Mountain Scenic Railroad rolling stock has as usual ended up with the White Mountain Apache Tribe being the scapegoat.

The railroad, without the consent of the Tribal Council, began operating a business on the Fort Apache Indian Reservation.

This was a direct violation of both tribal and federal law. It was in effect no different than any citizen awaking one morning to find that someone had erected a hot dog stand in his backyard without his permission.

The reservation is our land and we ask no more than the rights of any citizen to the protection of its rights with regards to that land.

A recent letter to the editor contained the statement, "I would have felt better if the Scenic Railroad had stayed and Mr. Lupe had gone by flatbed to Utah —"

To travel by flatbed would indeed be an improvement over the foot travel forced by the U.S. Army the last time they removed Apaches from Arizona to Oklahoma at gun point.

RONNIE LUPE
Chairman

White Mountain Apache Tribe

SEP 12 1976

Neal R. Peirce is a reporter and writer on American government and politics and has written nine books on American states and regions.

Developing conflict over Indian reservations

By Neal R. Peirce

Helena, Mont.

Across the "Indian country" of Western America, and in scattered Eastern states as well, an era of intense conflict is developing between Indians and their white neighbors.

The issues range from rights to water from the Mississippi, the Columbia and Colorado rivers to fishing for salmon in Washington state, from local property taxes on Indian lands in Montana to fire service for the Oneida Nation in New York. Controversy rages around law-enforcement jurisdiction on Indian reservations from Minnesota and Wisconsin to the Pacific coastal states.

The chief battlegrounds are the reservations, originally guaranteed to the Indians "forever," but later opened in part to white settlers. Today the ownership pattern of these areas resembles a checkerboard: a piece of Indian-owned land here, white-owned land there.

Since the rise of the "red power" movement in the 1960s, Indians have striven to reassert jurisdiction over their reservations' original boundaries. The federal government's policy switch from assimilation to "self-determination" has aided this effort, and Indians have prevailed in many court tests of treaty rights. More than \$3 billion a year flows from Washington into various Indian-related services and economic developments.

But whites living on or near reservations say the federal government has shown scant regard for local residents and local governments. The Indian "problem," they say, was created nationally; restitution programs were devised nationally, and all should be paid for nationally.

Threats to the whites' livelihood and lifestyle have led to the formation of predominantly white "civil rights" groups in 14 states and creation of a national protest group, the Interstate Congress for

Equal Rights and Responsibilities. The Interstate Congress says whites are not being treated equally in Indian communities. "Will we have to yield to tribal law, yet pay taxes to state government, which won't serve us?" asks Jack Freeman, the South Dakota rancher who heads the Interstate Congress.

Lake County, Montana, a community of 15,000 (85-percent white, mostly small farmers), provides a test-tube case of the conflicts. There have been court battles over shoreline rights to Flathead Lake and disputes over tax-free sale of cigarettes on the reservation and the removal of Indian-owned land from the tax rolls.

Lake County's whites are particularly irked by the shrinking number of taxable acres while inflation wreaks havoc with local government finances. Indian landowners can avoid property taxes by placing land under tribal trust status and giving up their right to sell it. Stories circulate about neighbors 1/16th and 1/32nd Indian avoiding taxes this way.

What's more, whites say, the Indians can vote in local elections and approve taxes they'll never have to pay themselves. They also are eligible for social services paid for in part through local property taxes.

The Flatheads reply that the number of conversions of Indian land to avoid taxes is exaggerated, and that their real reason is to consolidate tribal lands. Lost property taxes, they say, are more than compensated for by federal support of local schools and economic activity generated by the reservation.

There's been no violence between Lake Countians and their Flathead neighbors, but whites reportedly fear that the tribes will try to gain civil and criminal court authority over both Indians and non-Indians in all the territory that once belonged to the reservation. They foresee an unfair and inadequate judicial system run by a political system in which they

have no voice.

Today, on the Flathead reservations and others across the nation, young and professionally qualified Indian men and women — some with legal backgrounds — can return to their birthplaces and find employment in federally subsidized health, welfare and natural-resource programs.

The younger leaders are speaking out and challenging states and counties that try to assert jurisdiction over Indian country.

All the wisdom of Solomon — and then some — would be required to determine the real "justice" in most conflicts between

Indians and their white neighbors, between tribal "sovereign" rights and legitimate rights of local governments and their taxpayers. Strong national guilt concerning grave past injustices to Indians makes objective treatment difficult. Whites living on or near reservations say they have as much difficulty getting understanding from other residents of their states as from the power circles in the nation's capital.

Indians, on the other hand, complain that anti-Indian prejudice often appears in local communities and that national reparations for past wrongdoings are still inadequate.

Gradually, court decisions in the Indians' favor are reducing the rights and impairing the income of reservation-area whites. Those whites, faced by vague and unresolved laws, indifferent state and federal governments and fears for their own future, sadly end up bearing an inordinate burden for the cruelty and rapaciousness of the entire nation in its early dealings with its native peoples.

SEP 11 1976

SEP 9 1976

Indian Affairs Study Could Save Millions

Indian Panel Given Grant

Special to The Sentinel

Keshena, Wis. — The Menominee Restoration Committee, interim government of the Menominee tribe, has received a grant of \$307,000 for general administrative services from the US Bureau of Indian Affairs.

The grant also will cover maintaining, improving and repairing the tribal office building and establishing a public information department.

By **MIKE FLANAGAN**

World Washington Bureau

WASHINGTON — A management study of the Bureau of Indian Affairs, requested by Sen. Dewey Bartlett, R-Okla., produced recommendations Friday that could save hundred of millions of dollars.

At the same time, the recommendations would help Congress establish a "sound American Indian policy" and improve the effectiveness of programs intended to help Indians, said Sen. James Abourezk, D-S.D., chairman of the American Indian Policy Review Commission.

Abourezk, who was not enthusiastic about the management study authorization when it was attached in January by Bartlett to legislation creating the Indian Policy Commission, said implementation of the recommendations could achieve \$112 million annually in actual savings.

The recommendations also would bring about a one-time savings of \$20 million and help the BIA avoid another \$10 million in expenditures annually, Abourezk said.

BARTLETT, WHO LISTENED AS Abourezk outlined the management study recommendations at a press conference Friday, hailed the study as a "genuine landmark in the struggle for greater efficiency and economy in the operation of the federal government."

Congress has talked about improving efficiency since the 1950's, but "not until Friday has anything positive been done about it," Bartlett said.

"The report... provides hard evidence that sound business principles can be applied to government with tremendous rewards in better services, lower costs and renewed public faith in government," Bartlett said.

The study, conducted under the supervision of Abourezk's commission, produced 23 recommendations and a number of criticisms of BIA operations.

THE MANAGEMENT STUDY team discovered a "notable absence of managerial and organizational capacity throughout the BIA," little long range planning and poor communications within the BIA and between the BIA and Indian tribes.

There is a "critical lack of information essential to efficient administration," and the performance of key administrators is "not measured against appropriate yardsticks," the team reported.

Abourezk said one of the most important recommendations would eliminate 12 area or regional BIA offices and place increased authority on local agency offices so BIA decision makers would be more accessible to Indian tribes.

At the same time, six regional service centers would be established to provide administrative support and technical assistance to tribes, Abourezk said.

"At the heart of these changes is consultation by the BIA with tribes and reliance of the BIA on tribal opinion and comprehensive tribal analysis and long-range plans to guide allocation of capital and human recourse into strategic areas," he said.

THE DAILY OKLAHOMAN

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SEP 1 1976

AIM Supporter Due for Rally

The wife of an American Indian Movement (AIM) supporter imprisoned following the Indian occupation of Wounded Knee, S.D., will speak Wednesday during an Oklahoma City rally to protest a grand jury investigation.

Michele Camp, wife of Oklahoman Carter Camp, who was convicted of assaulting a federal agent and robbery during the 1973 Wounded Knee conflict, said Tuesday she and other AIM supporters will speak at the 8 a.m. rally at the federal

building.

The grand jury which convenes Wednesday is reportedly investigating an assassination threat against Sen. Dewey Bartlett over the Fourth of July holiday.

Meanwhile, the U.S. Attorney's office has dropped subpoenas issued two Indians, LeRoy Casadas and Bambl Sanchez, who were scheduled to testify before the grand jury Wednesday.

The two were among 14 Indians who claimed harassment by the federal government.

Letters to the Editor

SEP 9 1976
QUA'TOQTTI

Dear Editor,

The jailing of 18 or more members of the Navajo demonstrators at Window Rock, is a very poor policy of our Navajo tribal chairman. His order to expel visitors and denying the news media within the tribal council chambers, is entirely ill-advised and immature. This only confirms his inability to lead the Navajo tribe.

Our tribal chairman is not an ideal person to deal with — he is irresponsible and inaccessible to his own people, especially to the indigent Navajos. But he is very responsive to the Anglos and the crooks that he associates with. For this reason, the Anglos and the crooks are being hired at Window Rock today — maybe the Anglos that are being hired are crooks, too!

The chairman speaks about self-determination to the Navajo youth, without mentioning his implication in the corrupt affairs of his own administration at Window Rock. Implication yes, the fact is, the chairman and his cronies that he so closely associated with the past seven years, are all crooks. The truth is, the chairman selected and appointed the crooks into high office positions, with confirmation by the Navajo tribal council at his own request.

With all the money kick-backs to the crooks, the conspiracy against the Navajo tribe by clandestine methods and the political plots hatched by the chairman and his cronies, had surfaced to the top. So how could he deny that he was not involved in the corrupt policies of his own cronies. In fact, he is involved by association, that is very plain to see — in other words, he is a hypocrite.

For these reasons, the chairman should resign from his own corrupt administration in the best interest of the Navajo tribe. The Navajo tribe cannot condone the present corrupt administration. The Navajo tribe had enough malfeasance in the last administration beginning in 1963 — the same is still continuing today

Relatives of the chairman and his friends who made money contributions to his political election as chairman, had first priority on all high office positions. It doesn't matter whether they are qualified or not, their only qualification was being a crook.

The fact that the present Navajo administration was corrupt and made known to the public by the Bureau of Indian Affairs (BIA) and Sen. Barry Goldwater, the chairman charges the BIA with interference into his crooked administration and charges the good senator with political interference.

I for one, believe the good senator from Phoenix and the BIA have the best interests of the Navajo people at heart, by protecting our interests, to continue watching the elected crooks at Window Rock.

The Navajo electors are aware of the corruption that we are experiencing today and they should "boot-out" the chairman, including all of his crooked associates and clean house. The fact that two more of his cronies who were recently appointed by him to high office, were crooks in the last administration. The Navajo tribal records will verify this and I myself was present when the charges of illegal under-the-table dealings were made known and put on record. So there is no ending of crooks being appointed to high positions within the present crooked administration.

Anytime when the Navajo tribe elects a chairman, an individual who is oriented outside of the Navajo reservation by Anglo-ways, they always turn into a crook before they take the oath of office. I thought the Navajo tribe learned its lesson from the last administration that the Navajo tribe experienced.

I believe the best qualification for a chairman is being a traditional Navajo who is oriented in the Navajo ways and of the environment on the Navajo reservation. For example, former chairmen

Sam Akeah and Paul Jones have the best records so far.

The prospect of relocation of more than 3,500 Navajos from their homes within the Executive Order Area of 1882 is also blamed squarely on the chairman's shoulders for very poor representation in behalf of the Navajo tribe. Also, equally to blame is the no-accomplishment tribal attorney. They are only "free-loaders" and they only represent the crooks of this administration, wasting our tribal funds.

The chairman draws a salary of more than \$30,000 a year, the tribal attorney receives \$50,000 a year and the others receive lesser amounts, plus expenses.

For this amount of tribal appropriation every year, they have not accomplished anything in behalf of the Navajo tribe.

In contrast, more than 85 per cent of the Navajo labor force hold on to menial jobs.

The BIA's top jobs are still in the hands of non-Indians and the same is true of the Public Health Service (PHS). The chairman talks about self-determination for Navajos.

There is no self-determination here, according to the statistics. Besides this, there is a 60 per cent unemployment rate on the Navajo reservation today.

The subsidized government enterprise that is beneficial to the Navajos is the BIA's General Assistance Welfare grant, where millions of dollars of the taxpayer's money is being wasted year after year and there is no end to the grave train. These subsidized handouts have robbed the Navajo Indians of the initiative that they once had in the 18th Century.

Frankie J. Howard
Former Navajo tribal council member
Tuba City, Az.



State-Indian Taxing Accord Possibility

By FRED BUCKLES

SANTA FE — Sen. Ted Montoya will try to solve the sticky problem of taxation of non-Indians on Indian land in the 1977 Legislature.

He will propose legislation authorizing the governor to enter individual agreements with Indian tribes and pueblos. Indians would impose taxes and the state, already geared up for the job, would collect them. The state and Indian jurisdictions would share taxes. Agreements would be effective unless the legislature nullified them at the first session after pacts are signed.

Sen. Montoya said state-Indian distribution of taxes would hinge on state services provided. Individual agreements would be needed, he says, because tribe and pueblo requirements vary. "Some tribes may need highways," he says. "Others may need health services and police protection."

Sen. Montoya adds: "The state could provide police protection, health services and education on the Navajo Reservation. For example, if the proposed coal gasification plants are built and communities develop, some method of providing and financing services would be needed—utilities, schools, health, welfare and social services."

He says Indian tribes and pueblos are jealous of their own prerogatives. "Tribes and pueblos would view a joint effort at agreements an erosion of their individual sovereignty." Much Indian tax litigation has been filed over the years. But Montoya, an attorney, says: "The courts still have not settled the prime issue of who has authority to collect taxes on Indian lands. Some lawyers close to the litigation from the state's viewpoint say this is the only solution. Otherwise, we will have the legal morass that has existed for 20 years."

He has in mind property taxes on non-Indian use of tribal lands, gross receipts and cigaret taxes. He sees no state or federal constitutional problems in state-Indian agreements. He would not create a new state agency to implement his proposal. The governor would decide how to administer the legislation.

Sen. Montoya says: "It's not the kind of thing that could be accomplished quickly. The governor could form a task force or set up some other approach to negotiate agreements. The central theme is that the Indians and state would sit down as equals and work these matters out as to who, how and where they shall be taxed."

These Indian jurisdictions are in Sen. Montoya's Sandoval-Bernalillo-Rio Arriba Counties district: Sandia, Santa Ana, Cochiti, Santo Dominog, San Felipe, Zia and Jemez Pueblos and part of the Navajo Reservation "checker-board" area. Montoya has a "free ride" for re-election. He had no primary or general election opponent. He says he is weighing a run for Senate majority whip.

The current whip, Sen. Odis Echols, D-Clovis, was defeated for renomination in the primary. Echols, 46, and his family

are moving to Albuquerque. His wife, Pat, has been hired as a first grade teacher in Albuquerque Public Schools. Echols, a senator 10 years, heads a corporation that owns an Albuquerque Spanish language television station. Echols finished third in the 1974 Democratic governor primary.

Mrs. Judy Carter, sister-in-law of Democratic presidential candidate Jimmy Carter, will be in New Mexico next Monday and Tuesday. Her husband, Jack, is Carter's brother. She will ride in the annual Santa Fe Fiesta parade Monday. Trips to Albuquerque and Los Alamos are also planned. A Carter volunteers luncheon in Albuquerque Tuesday is being arranged.

The family of Albuquerque lawyer Tom McKenna, GOP State Senate candidate in Bernalillo County District 19, is selling red and white "Elephants Eat Peanuts" bumper stickers for 50 cents to fund his campaign. Tom McKenna Jr., 23, and his brother, Michael, 21, sold the stickers at the Republican National Convention in Kansas City for donations. The senior McKenna's Democratic opponent in the general election is Albuquerque attorney Les Houston. Houston was second in a five-man field in the 1974 Democratic lieutenant governor primary. Houston lost a 1972 bid for the State Senate.

Bear Stearns, a Chicago utility analyst firm, rates the New Mexico Public Service Commission first in the nation in "regulatory practices and the resultant impact on electric utilities." The New Mexico PSC scored 90 on a scale of 100 on five "factors of regulation." PSC member Gary Blakeley, Albuquerque, is the youngest state utilities commissioner in the nation. He will be 28 Thursday.

Sign on a school bus in Santa Fe: "Carriers of the most precious cargo." There are a staggering 12,025,000 state and local government employes in the U.S. and 2,881,600 federal employes.

Indian Viewpoint

... an opinion

THE AUTHOR is a resident of Tohatchi. His commentary deals with recent leases between the Navajo Tribe and industry.

By GLENN AVERY

Isn't there a law on the book now that prohibits a closed session? If such law is now in effect, the tribal council, on the order of our chairman, is in reality in violation of this statute.

The council has practically been conducting our government affairs under such circumstances too long and is being maneuvered by our chairman our general counsel George Vlassis in implementing many unfavorable contracts or approving leases that are very detrimental to our livelihood and welfare, socially, economically, environmentally, physically and, last but not least, emotionally and spiritually.

The wise move that our chairman should have done is to let the demonstrators bring their reasons for the demonstration before the full council. There must be some very strong reasons for the protests. The presentation of reasons to the council may really wake up most of our tribal leaders on their shortcomings in their dealings with some large companies. This shortcoming was very clearly demonstrated by the recent vote on the coal lease with El Paso.

The new fears expressed by a Lou Crowder from the legal aid department is actually without grounds. If General Dynamics doesn't follow Fairchild in taking advantage of our labor force by paying them a rock bottom pay without any benefits, but getting the company fat financially at the expense of the employes' disadvantages and inconveniences.

Crowder may be only another Larry Ruzow, a partner with Vlassis' firm in Phoenix. They are strategically used as connecting links between the administration and the different companies such as Tucson Gas and Electric, WESCO, Exxon, etc., in leasing tribal resources and giving rights of way.

Vlassis' claim that the new contract is about three times more than the previous one is without merit, because the cost of everything has more than tripled in the past few years. Even the supposed six million dollar bonus coming to the tribe upon approval of the uranium lease (with Exxon) is not extra money coming to the tribe, either.

This money will really be coming out of the royalties over a period of years. If the council is so desperate to consummate a coal lease contract, it should at least ask for 20 per cent of the tonnages at the mine site instead of a set price of about 55 cents a ton. In another few years the coal may be selling for \$60 a ton and our tribal government will still be getting a mere 55 cents a ton.

Vlassis' claim that the Navajo Tribe will be setting a precedence for the other tribes to follow is a misstatement, incomprehensive and calls for ridicule. The other tribes have alert leaders to negotiate better deals. Ours literally gives away our remaining resources.

Our general counsel is what we need to replace first in straightening our government.

Remember Vlassis also had just given up the tribe's fight for the state land near Aneth, Utah, that contains millions of dollars worth of natural resources, just to save a grazing surface for about 10 sheep units yearly!

This is what our chairman and the general counsel call a good deal for the Navajo Tribe.

Congratulations to the 11 members who voted against the new coal lease. This was merely another rush deal, a tactic usually used by our chairman and his general counsel.

Remember also the force majeure clause inserted into the contract on the proposed Exxon lease.

Coconino Navajo Vote Interest is 'Exciting'

By JERRY KAMMER

FLAGSTAFF (Staff) - The interest of the Navajo people in the electoral process has added a new dimension to the work of two Coconino County election officials.

"It is exciting to see how much the people want to get involved and vote," said Kathy Eden, director of elections for the county."

"They are extremely interested in participating in elections and are hungry for the information our office supplies them," said county recorder Helen Hudgins.

In Coconino County as a whole, 52 per cent of those registered to vote actually made it to the polling places for last Tuesday's primary. But on the Navajo Reservation, where the desire to vote must often be matched by a willingness to make a long ride on miserable roads, 55 per cent of those registered made sure that their votes were counted.

Very few Navajos have asked for write in ballots, said Hudgins, despite the fact that many are eligible because they live over 15 miles from the polling place. "They really seem to want to get there and vote in person," she said.

Visited Chapter Houses

Both Eden and Hudgins made several trips to chapter houses on the reservation

in preparation for this year's elections. Eden recruited and trained election workers, while Hudgins explained the difference between a primary and a general election, the necessity to register, and the mechanics of completing a ballot.

The county director of elections and county recorder said they were sometimes frustrated at being unable to understand a word that was being said during the formal session. But the fry bread and mutton stew, inevitable parts of a chapter meeting proved to be pleasant compensation, they said.

Hudgins said the visits to the reservation destroyed for her the old myth that Navajos are remote and humorless. "They are usually reserved at first," she said. "But after you've spoken to them and showed some interest, they go out of their way to make you feel comfortable and their sense of humor is just fantastic. "They love to kid each other."

Credits Samuel Pete

Eden and Hudgins said the director of the Office of Navajo Political Affairs, EAmuel Pete, was a tremendous help in introducing them to persons in the various chapters whose help they would need. Eden said that much of the credit for the large turnout among Coconino

County Navajos must go to Pete.

Both officials said they became aware of the difficulty of translating their remarks into Navajo. There are no Navajo synonyms for many English words pertaining to elections, and so the words must be conveyed in a lengthy process explaining an entire concept.

Hudgins said the narration of an educational slide presentation she prepared for county voters ran 40 minutes in English but demanded an hour and a half in Navajo.

SEP 10 1976

GALLUP INDEPENDENT

Ten Seek Window Rock Board Posts

FORT DEFIANCE, Ariz. (Dine Bureau) - Ten candidates have filed for the three positions on the Window Rock School Board that will be on the ballot in November. Two candidates are presently on the Board and the other eight are running for the first time.

Wallace Hanley, of the Navajo Tribal Administration, and Peterson Zah, director of DNA, both residents of Window Rock, have decided to seek re-election to the board. The other candidates include Katherine Hillis, an employe of the Social Services Branch of PHS, and Garnett Yazzie, director of the Navajo Family Planning Program, both from Fort Defiance.

Candidates from Window Rock include Amelia Havens, a housewife; Irvin Jones of the Bureau of Indian Affairs; Malcom Dalton, general manager of Navajo Tribal Utility Authority; and Thomas Kontz, minister of the Navajo Bible Church.

The other two candidates are David Ray, operator of the Navajo Wrecker and Towing Service in St. Michaels and Tommy K. Begay of Sawmill, an employe of the Navajo Health Authority.

All 10 candidates will run at large in the election with the three candidates who receive the highest vote totals gaining the four year positions on the board.

Montoya: I Deliver for Tribes

Pushing the "he delivers" campaign theme, Sen. Joseph Montoya, D-N.M., said Saturday he has strong backing from Navajo voters because of all he's done for them.

"I've built roads, hospitals and the Navajo Irrigation Project," the senator said.

The senator was in Farmington Saturday to make personal appearances at the San Juan County Fair and shopping centers and do ribbon-cutting honors to open Democratic headquarters at 905 W. Apache.

His re-election opponent, Republican Harrison Schmitt, has implied in local news interviews that the senator has a "passive attitude" on Indian reservation development.

"How can he say that?" Montoya asked. "I've gotten millions of dollars authorized just for roads on the reservation."

He added, "San Juan County has received close to a half-billion dollars from bills I've supported since I've been in Congress. That's more than any other county except Bernalillo and Los Alamos."

Montoya's San Juan County campaign manager, Navajo Lake Marina owner Charles Hughes, said, "I don't know how anybody in San Juan County can say he hasn't done anything for San Juan County."

The county is the most Republican of all in New Mexico and a traditional weak spot for Democrats.

Montoya's comments in news interviews referred to a running fight with Schmitt over what the two candidates actually said about Indians in a joint appearance before the Associated Press Broadcasters Association in August.

Schmitt said in local interviews afterwards that he and the senator have completely different attitudes. Schmitt said he believes Indians should be encouraged to make developments along certain lines.

The Navajos, he said, should be encouraged to develop a

tribal economy that supplements natural resource development for the day when the resources run out.

"Sen. Montoya clearly does not want to do that," Schmitt said.

Montoya said, "My position with respect to natural resources owned by the Indians and held in trust by the government is that the Indians themselves should make a determination as to what to do with those resources. And I would respect that judgment."

On the same subject, Montoya was asked if legislation should be passed clearly giving Indians the right to tax de-

velopments on their land.

"The Indians should have the same privileges within their reservations that the state has with respect to state public lands," he said.

On the question of property taxes on non-Indian developments, the senator said, "I presume if they lease this Indian land to private individuals, they should have the privilege of taxing the leasehold."

He was asked if Indians should have the right to impose severance taxes and answered, "Absolutely."

But later, he qualified this

answer on the touchy issue in San Juan County. The state currently is taxing the seaming of coal from reservation leases for the Four Corners power plant and the Navajo tribe is not.

The senator added, "I say that before they lease it, they have the right to impose whatever conditions they want to impose. But it would be a breach of contract if they were to do it afterwards."

The senator, for the last few days, has been attacking Schmitt, the former lunar astronaut, as being unqualified to represent New Mexico.

SEP 12 1976

Farmington Daily Times

Crows vote not to renegotiate coal

By JANICE LITTLE LIGHT
Of The Gazette Staff

CROW AGENCY — The Crow Tribal Council voted not to renegotiate leases and permits of Crow coal with AMAX, Shell, Peabody and Gulf as introduced during a special session here Saturday.

Speaking in the Crow language in support of a resolution to negotiate, a tribal member said, "There are many poor people who need money, so we must go ahead with development."

However, a counter resolution to table the resolution to authorize establishment of a 12-member delegation to negotiate proposed leases with the companies, and allow the tribal chairman to seek legal counsel to reach an agreement was defeated by a vote 252 to 227 after about one hour of heated debates.

Advocates of the counter resolution declared the meeting was in violation of civil rights and therefore unconstitutional.

After adjourning the two hour meeting at 6 p.m., Chairman Pat Stands Over Bull said that he was going ahead to withdraw the lawsuit that had been filed against the coal companies.

"I am going to see my attorneys on Monday," he said, "concerning the legal aspects of a withdrawal."

One member of the tribe said, "A majority vote of the council is the ultimate decision in tribal matters."

"The council has made a decision to continue with the lawsuit," said Urban Bear, a Crow Indian who is a lawyer.

"Officers serve at the council's will, and a chairman has no authority to do anything against a decision by majority votes of the tribal council," he said.

Dewitt Dillon, who favored postponing the resolution, said, "This move is not anti-development, it is a move to stop a big sellout."

"Without the suits, Shell would be mining right now on the reservation." He continued, "Ninety per cent of the Crows are for development, but only if done properly."

He added, "The vote today means were going to do it properly, and not just leave it up to four or five men as it has been up to now."

BILLINGS GAZETTE
BILLINGS, MONTANA
Date 9/12

Navajos Having Problems Retaining Own Culture

The Navajo Tribe, as well as the rest of the Native American world, have been having problems retaining their culture and their past history along with learning the ways of the now-dominant Western European civilization and the rudiments of its sometimes overbearing technology.

Fortunately, efforts are now being made to preserve the past, as well as teaching the present and future. Many schools on the reservations are now teaching their native languages as well as the English language.

Recently, I saw where the Apache language, previously an unwritten tongue, has been compiled and a complete Apache dictionary will soon be on the market for the future generations of Apache Indians to learn and use.

Like other Indian tribes, for countless generations, Navajo Indian elders have passed their language, legends, and traditions along to their young. The Navajo language is being used in the schools, but it hasn't always been easy.

Mimeographed teaching texts often are saddle-stitched together on poor quality paper and illustrated with dull, black and white, photographs. Now a new book in the native Navajo language has been released through the National Geographic Society.

Published by the society's special publications division, a lavishly color-illustrated book about lion cubs has been made available to the Indians.

Robert L. Breeden, special publications director commented about the publication, "We hope that this initial step in the area of bilingual education will be a meaningful contribution to Navajo education, and that it will lead to an expanded language program for them."

Just in time for the new school year, 18,500 copies of the book are being distributed to school systems in New Mexico, Arizona and Utah.

"This represents a major step in the Navajo effort to get the best education tools available for our schools and teachers," said Paul Platero, associate director of the Native American Materials Development Center (NAMDC) in Albuquerque.

"More and more we hope to tap the best resources in American technology," he said.

The project was made possible by a Health, Education and Welfare Department grant to the Ramah Navajo School Board in Ramah, New Mexico, in cooperation with NAMDC.

"We're delighted with the book," said NAMDC Director Gloria Emerson. "This is the first time a high-quality book with color illustrations has been made available in our classrooms. It should be of enormous help to teachers at kindergarten level and well beyond."

On a more modest scale, 1,500 copies of the same book have been translated into Keresan, a Pueblo Indian language, for distribution to schools in New Mexico.

Printing the book in the Indian languages was an intricate process. NAMDC sent the first Navajo translation by telecopier to Sen. Joseph M. Montoya's, D-N.M. office in Washington, D.C. where it was then forwarded to the National Geographic.

Paul Platero later flew to Washington to assist editors and the productions staff in proofing and translation.

A difficult language in print as it is to understand, Navajo is liberally sprinkled with many accent and punctuation marks called glottal stops. Misplacing a glottal stop or placing an accent mark just a fraction too high can change the meaning of the text.

"People at the printing plant couldn't believe their eyes during the final press run," said George V. White, special publications assistant production manager.

"They kept asking me, 'Do you really understand that language?' As I carefully checked the accent marks. Of course I didn't tell them that I had been thoroughly briefed by Mr. Platero and had memorized his accent changes in the text."

I find it very gratifying that efforts are being made to preserve our history, in its original form, while striving to construct a better society for all.

Crow coal snub irks Shell Oil Co.

BY JOEL M. PEASE
Of The Gazette Staff

HOUSTON, Tex. — Officials of the Shell Oil Co. here expressed disappointment and immediately withdrew their latest proposal to obtain leases and permits to mine coal on the Crow Reservation.

Their action was in response to a vote by the Crow Tribal Council last Saturday not to renegotiate with the company for those leases and permits.

Jack L. Mahaffey, general manager of Shell Oil Co. mining ventures, said, "For several months we have had discussions with the Crow Indians which we had hoped would lead to a satisfactory new lease.

"We are of course disappointed that our latest offer, which we believe was a good one, was tabled at Saturday's special tribal council meeting. As a result of this action, we have withdrawn the proposal."

Another Shell spokesman in Houston said the coal mining situation "rests with the Crows now. Any further action must be taken by the Indian tribe."

The spokesman also said there would be no further proposals at this time.

Shell and three other fuel companies, AMAX, Peabody and Gulf, have been attempting to secure leases on the reservation for several years. Officials of these other companies were unavailable for comment.

The four companies are currently facing a lawsuit by the Crow Tribe, which claims that illegal methods were used in prior negotiations for the leases.

Tribal Chairman Pat Stands Over Bull has indicated that he is considering withdrawing the suit and furthering negotiations, but the decision of the tribal council opposes such action.

Coal mining on the reservation would mean more money for the tribe, but many of the Crows are reluctant to approve the massive development which could considerably change their lifestyle.

BILLINGS GAZETTE
BILLINGS, MONTANA

9/14

Letters To The Editor

Police Article Called Political

Editor:

The editorial on Tuesday, Aug. 24, 1976, by your Mr. Donovan on the administration of the Navajo Police Department under the leadership of Mr. Lafie Bennett was just blatantly political.

Mr. Bennett, a very close friend of mine, doesn't really need an Argio to defend him because most of the people that have had dealings with Lafie know him to be a sincere capable and honest individual when honesty and capability appear to be so lacking under the present administration of the tribe.

Mr. Donovan didn't point out in his article that Bennett had been called upon in the past to help organize the police departments of the other tribes in the country. Nor did Mr. Donovan point out the fact that Mr. Bennett had worked very successfully with the previous administrations of the tribe and it was not until the current leaders took over that politics became such a major force in tribal affairs.

It is a fact that one of the current leaders of the tribe tried to pressure Mr. Bennett into firing a Navajo policeman who, it was alleged, was having an affair with

said leaders wife. Bennett investigated the situation and found that the man, during his assigned working hours, was doing his job very satisfactorily and refused to dismiss the individual, stating that no one has the right to be the judge of what a person does in his free time. It wasn't long after this that Bennett was asked to resign as head of the Navajo Police Department.

The difference between Mr. Bennett's administration is evident in the stories and pictures that are current news in your paper. Lafie Bennett's people were proud to be part of the tribe, both in its cultures and beliefs. The current administration of the police department reminds you more of a political group set up for the protection and preservation of the administration.

Again, let me say, that Mr. Lafie Bennett is too fine of a gentleman to be attacked the way he was with no chance to set the record straight on what happened.

C. P. "Pat" Perry
2410 E. Aztec B25
Gallup

Agree on Rumors

EDITOR:

We totally agree with your editorial of Saturday August 7, 1976, "Time for Results in Navajo Probe," put up or shut up.

We are glad that the Gallup newspaper has spoken out on false rumors on our reservation causing mistrust confusion. We believe (certain people on the reservation) have work with FBI man in charge of Gallup cause this mass confusion, without any due process. We think these same acts by these people cause the plane crash in which three of our young Navajo leaders lost their lives.

The school boards across the reser-

vation are being used by a few top people of NASBA doing the very thing they say are wrong. For instance, who is the president of NASBA and who is or was the president of Navajo Housing and Development Enterprise and Navajo Trailer Inc., Board east of Gallup? Yes, the same person.

Watch out for these people, Mr. new acting Director of Navajo area.

Thank you, Gallup newspaper.

W. D. Noble and relatives of the
three lost Navajo leaders.
Steamboat T.P.
Ganado, Arizona

Joint Area Is Divided

By JERRY KAMMER

TUCSON, Ariz. (Dine Bureau) - Adopting the proposal of a federal mediator, Judge James Walsh of the U.S. district court in Tucson has drawn a line to partition a 1.8 million acre Joint Use Area equally between the Navajo and Hopi Tribes.

A milestone decision in the long and bitter Navajo-Hopi land dispute, the line will require the relocation of 5,500 Navajos and 30 Hopis.

Judge Walsh was authorized to draw the partition line by legislation passed by Congress in December, 1974. The legislation called for six months of federally-mediated negotiations between the two tribes in a final attempt to develop a mutually acceptable settlement to the land dispute.

Federal mediator William Simkin presided over the negotiations from March to September last year, and when the two tribes could not agree, Simkin submitted a proposal to Judge Walsh for court-ordered settlement. Simkin's plan has now been accepted by Judge Walsh.

With the partition line, most of the lands in the northwest and southwest portions of the disputed Joint Use Area will be turned over to the Hopis, while the northeast and southeast portions will be made part of the Navajo Reservation.

The most controversial aspect of the partition is the establishment of a "Navajo Island" at the community of Jeddito near Keams Canyon. Mediator Simkin suggested forming the island under terms of the 1974 legislation which called for forced relocation to be minimized "as near as practicable." The Jeddito area, one of the more densely populated parts of the disputed lands, will be entirely surrounded by

Hopi lands.

Hopi opposition to the mediator's proposal was directed most vigorously against the Jeddito Island proposal. Some 30 Hopis live in this area, and all will be forced to relocate.

The Navajo-Hopi land dispute finds its legal roots in an 1862 executive order issued by President Chester Arthur, setting aside 2.4 million acres in northeastern Arizona for the use and occupancy of the Moqui (Hopi) and such other Indians as the Sec. of the Interior saw fit to settle thereon.

Over the ensuing years, Navajos settled the outlying area of this Executive Order Reservation in ever growing numbers, while the Hopis remained concentrated around the three mesas which they had settled for centuries.

In the 1950's the Hopis initiated court action, asserting claim to the entire Executive Order Area. By this time the Navajos had effectively settled all of the area except for the 640,000 acres which had been designated in the 1930's and 40's as the Exclusive Hopi Reservation.

In the landmark *Healing Versus Jones* decision, the Supreme Court supported an earlier decision by a special three-judge federal court, ruling that both tribes had "joint equal and individed" rights and interests to the 1.8 million acres under dispute. The court said it lacked jurisdiction to divide the land between the two tribes.

After a series of Congressional battles in the early 70's, marked by bitter exchanges between Navajo and Hopi leaders, Congress finally adopted a law in December of 1974 calling for a months of negotiations. The law provided that should the negotiations provide no settlement, the dispute would be settled by order of Judge Walsh, acting under guidelines set forth in the legislation.

SEP 13 1976

GALLUP INDEPENDENT

SEP 9 1976

Menominees Challenged on Authority to Seek Funds

Special to The Journal
Madison, Wis. — A state agency decided Wednesday to seek a federal legal decision about whether the Menominee Restoration Committee could legally apply for federal anticrime funds.

The committee, which is the interim government for the Menominee Indians before total restoration to tribal status is complete, had applied to the Wisconsin Council on Criminal Justice (WCCJ) for about \$26,000 in federal funds to pay for a special consultant for the county's sheriff's department.

The consultant would help train officers in the department and would advise Sheriff Kenneth Fish. The executive committee of the WCCJ

Wednesday approved the grant, but agreed to ask the federal Law Enforcement Assistance Administration (LEAA) to determine whether the restoration committee

had a legal right to request the money.

Several persons appeared at the executive committee meeting to protest that the

restoration committee had never told the Menominee people of the grant.

"The people don't know what this proposal involves," Phyllis Firouard, an attorney for the Menominee Legal Defense /Offense Committee, told the WCCJ.

She said according to law, the restoration committee could not enter into contracts, such as the one that would be necessary to receive the money, without the approval of all the Menominee residents.

Because the residents were not told about the grant, she said the restoration committee was not properly representing the people.

The executive committee approved the project because any funding for the project would have dried up if action had been postponed, according to Andrew Newport, of the WCCJ staff.

However, Charles Hill, executive director of the WCCJ, said the LEAA found that the restoration committee acted improperly in seeking the grant the money would be withdrawn.

The program received WCCJ funding last year, but hasn't yet been started because complete approval from the LEAA is still pending. Because of LEAA guidelines, however, it was necessary to approve funds for the second year of operation Wednesday or else the project would have died before it ever got started.

In other action, the executive committee:

Approved \$500,000 in fed-

eral funds for the State Department of Justice for training of police recruits. The state must provide an additional \$826,600 to complete funding for the program. This is the sixth year the council has helped pay for the training program.

Approved \$44,000 to continue the Planning, Research and Development Bureau of the Milwaukee County Sheriff's Department.

The purpose of the bureau is to examine the organization and fiscal problems of the department, according to a WCCJ analysis.

Approved about \$40,700 to continue a program to provide women inmates in the Milwaukee County Jail with educational opportunities.

AUG 31 1976

Traditional Hopis' views

Editor, The Arizona Republic:

From all reports that I have received on the Hopi snake dance ceremonials, I can say to all these non-Indians who attended that they evidently behaved with dignity and decency as guests of the Hopi traditional villages.

If you were not aware, then we want to make it clear that there are Hopi traditional ceremonials put on by the Hopi traditional villages. They wish to make it absolutely clear that they have nothing to do with the so-called Hopi tribal council who tried to make money off these sacred ceremonies by their publicity in the news media.

As a result of unauthorized publicity, there was a crushing number of non-Indians who invaded the villages. Almost too many and this is of great concern to the Hopi traditional leaders in the village of Shungopovi. Too many people can also ruin a great event.

In addition, Claude Kewanyama, kikmongwi (village chief) of the sovereign village of Shungopovi, deeply regrets that some of his people charged admission for the use of their houses around the ceremonial plaza.

"These were some of the pro-council people and they should not have done this. This is a sacred religious ceremony and must be open to all free of charge and I deeply regret that this has occurred," he said.

It's no wonder that the clouds do not hear, he remarked.

The Hopi traditional leaders, of which Mr. Kewanyama is one, are deeply concerned about commercialization of any form because they sense that money only brings trouble and ruin to a civilization. But, more than this, they realize that commercialization will make their sacred ceremonies powerless

because the gods will not listen to the voices of greed and money.

This is why these ancient leaders of the Hopis object to the Smoki dances put on by the secular, nonreligious, non-Indians in Prescott.

As one said: "They should have the decency not to make money off our sacred ceremony." I am convinced that he is absolutely correct. These non-Indians are like the Hopi council people who are all for commercialization because they have already sold their souls to the Bureau of Indian Affairs. And, it was these council people who announced these sacred ceremonials to the news media so that they would harvest a great profit from them.

The Hopi traditional leaders and their people are decent, honorable, religious and hard-working people who would welcome all into their midst regardless of race, color or creed. All they ask is that you respect them, their unusual ways and their desire to live in their own Hopi traditional ways, free from the harassment of the BIA tribal council. The BIA and its converts on the Hopi lands simply must learn that they have got to leave the Hopi traditional village alone and not to try and bring in electricity, water and sewer systems when the Hopi traditional people do not want them.

In any event, the Hopi traditional leaders of Shungopovi, through their village kikmongwi, wish to express their great sense of appreciation to you all for the proper behavior that you displayed in their village on Aug. 21, and their sense of regret that the Hopi council people tried to profit from a sacred ceremonial.

CALEB H. JOHNSON
Personal Representative of the Kik-
mongwi, Winslow

AUG 28 1976

Menominees to Vote on Pact

Special to The Journal

Neopit, Wis. — The 182 striking employees of the Menominee tribe's logging and sawmill industry will meet Monday morning to vote on a contract package hammered out in five days of negotiations this week.

The proposed two year agreement represents a compromise by labor and management over the length of the contract. The union had sought a one year pact and the firm wanted it to cover three years.

A joint statement issued Friday by the two sides in the contract dispute did not disclose a proposed wage increase.

The six week old strike began July 15 by Local 4302, International Woodworkers of America, against Menominee Tribal Enterprises, the tribe's only industry.

SEP 3 1976

Indians deserve health care

THE EDITOR:

The comment by RWW of the City (about an appropriation for Indian health care) caught my eye since I am a Native American Indian. I tried to forget it as the asinine ramblings of the ignorant but I must try to enlighten this poor soul. This is the general attitude of

the Anglos in western Oklahoma, and as a result, the Indian has suffered untold misery in discrimination.

RWW should read the health statistics for the answer as what proportion of Indians will have occasion to benefit from Indian health care. Quite a few non-Indians also take advantage of these services, such as Anglo women married to Indians.

The answer to his question "Where do we stop?" is for him not to worry because it will be beyond his lifespan.

When the Great White Fathers made all the Indian treaties "for as long as the grass shall grow and the rivers flow," they knew that they would never be able to pay for all the land and minerals that they systematically stole and cheated from the natives. They created the "100 years of paternalism" because they coveted the Indian lands.

This health care and certain other commitments were stipulated in the Indian treaties and we mean to hold the United States to their word. "A man is only as good as his word." The Ugly American has tried to renege on all of his treaties but today the Indian is discovering the laws and courts of the U.S. sometimes work in his favor.

It's bad enough that the Indian was "treated" out of everything but his very soul. Now people like RWW seemingly begrudge them Indian health care. People like that should not make such comments unless they know all the facts of any issue.

Incidentally, we Indians pay tax-

es just like anyone else. It hurts our pocketbooks the same as anyone else but we don't moan and groan over the fact that the government sends millions of aid to people in other countries. That's what RWW should aim at with his grumbings.

Medicine Herb Woman (CRC),
Clinton

BILLINGS, MONT.
GAZETTE

D. 44,000 CIRC.

AUG 25 1976

Action Line



Action Line answers questions, solves problems, cuts red tape. Call Action Line at 245-3071 between 8:30 a.m. and noon, or write: Action Line, Billings Gazette, Billings, Mont., 59103.

I read in The Gazette this week that Indians who are enrolled in the Crow tribe and live on the reservation in Big Horn County are exempt from paying state personal property tax. Is this same exemption available to other Indians of other tribes and on other reservations. I live in Poplar on the Fort Peck Reservation. L.I. — Poplar

According to the legal division of the State Department of Revenue the U.S. Supreme court ruled in the case of the tribes vs. Moe that the wording of the treaty between the Flathead Indians and the federal government exempts them from property tax. Other tribes in Montana have submitted copies of their treaties to the legal division to see if the same exemption is available to them. At this time, it has been determined that the Crows in Big Horn County are exempt also.

SEP 6 1976



Stamping Ground

Canada to honor 'Six Indian Nations'

By H. ROWLAND

The Iroquois diet featured over 40 corn dishes with canapes of fried grasshoppers and an infinite variety of wild birds, animals, and fish.

That is what fueled Hiawatha in the female-dominated "Six Indian Nations" or "the old island on the back of the turtle," an area of southern Ontario and western New York where nine tribes including Mohawks, Oneidas, Hurons and Onondagas welcomed the first British and French explorers to this continent four centuries ago.

On Sept. 17, Canada winds up its Indian culture series with four stamps picturing the artifacts, dress, symbolism and way of life of those Indians the white man first met in Canada.

The stamps will be printed in seten-ant pairs in 6-color lithography plus embossing. Artifacts pictured include two masks, one of corn husk; a turtle-shell rattle; an earthenware vessel, and a ball club.

BY TRADITION, the Dallas Stamp Collectors Club takes a Labor Day holiday Monday evening but continues its plan for a bus jaunt to Oklahoma City's Skirvin Hotel for the SPA convention Oct. 1-3. Space is available for 40 persons on a chartered bus leaving North Dallas Oct. 1, and returning Oct. 3 for a \$15 fare. Call Joe Brooks at 742-930.

Park Cities Philatelic Society holds a fun and games evening Wednesday at 7:30 p.m. in Patterson Hall on the SMU campus.

Germany's greatest 17th century novelist, Johann Jacob Christoph von Grimmelshausen, who was kidnaped

by Hessian soldiers at 10 for service in the Thirty Year's War, has been honored by a West German stamp on the 300th anniversary of his death.

The design features the fabulous creature with one web foot, a cloven hoof, wings and the tail of a fish that was pictured on the title page of his best known novel's first edition.

A golden plover in its brooding plumage provides the design for a 50pf stamp spotlighting Europe's growing concern for the protection of its game birds.

A PAIR OF stamps will be issued Oct. 17th to celebrate 50 years of radio in Ireland. A state-controlled station with studios in Dublin was established by



Iroquois artifacts highlight Canadian Indian series.

Dr. Douglas Hyde, the scholar-poet who became Ireland's first president. Radio of Ireland was among the first to broadcast sporting events live.

On Oct. 1, the African state of Malawi plans an issue of four values picturing railroad locomotives. On Oct. 22, two of the current bird definitives will be overprinted to honor the centenary of the Blantyre Mission which was established by Dr. Livingstone, the Scottish missionary after he discovered Lake Nyassa.

SEP 3 1976

Deputy chief position

Faulkner candidate for Cherokee post

By BILL SAMPSON

Tulsa County Sheriff Dave Faulkner today announced he will run for deputy chief of the Cherokee Nation under that tribe's new constitution.

Faulkner said he will retain his job as sheriff. He is three-eighths Cherokee, he said.

The tribal position is part-time and Faulkner said he would not accept any pay for it if elected. It would require him to attend periodic council meetings, usually one or two a month, and to succeed the chief in the event of death or disability.

Faulkner said he wants to protect interests of the Cherokee people in the coming Arkansas River bed settlement that could mean millions of dollars to the Indians. Bills regarding the federal government's settlement with the tribe are pending in Congress.

Faulkner said he also wants to succeed his grandfather, David McNair Faulkner, who was last assistant chief before statehood. The assistant, or deputy, post has been nonexistent since then and until adoption of the new constitution.

Cherokee Chief Ross Swimmer is expected to announce during the annual Cherokee Nation holiday opening at Tahlequah today that President Ford has approved the constitution adopted by the Indians at a special election last July.

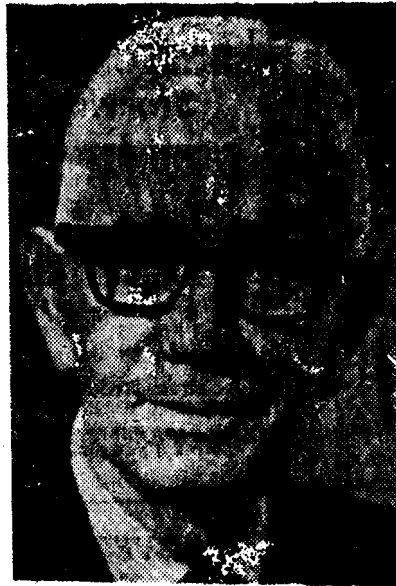
Swimmer also was expected to announce that candidates for the deputy chief job and 15 council posts must file by Oct. 1 and the election will be scheduled Oct. 26.

Others who have expressed interest in the deputy job sought by Faulkner are Tulsan Jim Gordon and Sallisaw Mayor Perry Wheeler.

Gordon, who led Swimmer in votes cast for chief in Oklahoma in the 1975 election only to lose it in absentee balloting, is expected to head a slate of candidates opposing Swimmer's administration.

Wheeler is a Swimmer-appointed tribal councilman serving on an interim body that has no legal authority until elected.

Faulkner is running as an independent candidate for deputy chief, aligned with no faction in Cherokee politics.



DAVE FAULKNER
... Tulsa County sheriff

Faulkner said if elected he would prevent a repetition of past mistakes that have embarrassed the Cherokee Nation financially, costing thousands of dollars. He was referring to tribal housing and business management scandals uncovered in the past year but dating back several years.

"I would support continuing beneficial programs of health, education and social advancement for all Cherokees," Faulkner said. "I would work with other Cherokee leaders to maintain pride, dignity, honesty and integrity in tribal affairs. I want to restore the proud heritage of Cherokee leadership."

Faulkner is descended from a long line of Cherokee leaders, including the Rev. Stephen Foreman, Indian educator, and John Thompson Adair, onetime justice of the Cherokee Supreme Court.

Faulkner has no opposition to reelection as sheriff this year as result of his successful litigation to disqualify the two Democratic and one Republican opponents who had filed. The litigation was based on a new state law which stiffens education requirements for sheriff candidates.

SEP 8 1976

Sitting Bull's relative says everyone American

PROVIDENCE, R.I.

Cathy Catelain was weaned on Hollywood's depiction of Indians. She admits she tended to side with Errol Flynn in the movie version of Custer's last stand.

"An old boyfriend made a big thing out of the fact I descended from Sitting Bull," she said. "He'd tell everybody and then they'd call me 'Pocahontas.'"

Kathy is Chief Sitting Bull's great, great granddaughter.

Raised in New Jersey, Cathy became interested in her Indian ties five years ago. Now an Ivy League graduate student, she takes time from her chemistry studies to develop her knowledge of Indians and Indian lore.

Wide-eyed and thin-faced, Cathy looked out of place at the Narraganset Indians' 300th annual tribal meeting in Rural Charlestown, R.I.

But they treated their visitor like the Sioux Princess she would have been a century ago.

"One of Sitting Bull's daughters married a Montana senator," she said. "That took us off the reservation. I'm a direct descendant through the female line."

To the savage whoops and the pounding of an Indian water drum, she tiptoed into the medicine circle and latched onto a hefty squaw who showed her the steps.

She stumbled through a few ceremonial dances, then fled to the sidelines faintly red in the cheeks.

"When I get a good tan I look fairly Indian with high cheek bones and long, straight hair," she said, a bit defensive about her pasty-white complexion.

Cathy, 24, now attending Brown University, said that, as she became interested in her heritage, her only contact was a grandmother in California who died two months ago.

"I saved all her letters. I don't think she was much interested in me though. After all I was a long way away and she had family close to her in California."

"It's nice to keep traditions and all that bit. But it can go too far. We'd be much better off if everyone just thought of themselves as Americans."

"There's nothing wrong with being a doctor or a lawyer and still being a member of the tribe," she said. — (UPI)

Crusade for Justice files libel suit

Attorneys representing the American Indian Movement (AIM), the Crusade for Justice and Crusade leader Rudolfo "Corky" Gonzales filed a \$3.2 million libel suit Wednesday against officials with the Connecticut State Police and the U.S. Immigration and Naturalization Service.

The suit — filed in U.S. District Court in Bridgeport, Conn. — results from a nationwide bulletin sent out by the Connecticut State Police Department reporting that the Crusade, AIM and Gonzales had embarked on a plot to "kill a cop a day" coinciding with the beginning of the nation's Bicentennial celebration on July 4.

According to the complaint, a copy of which was made available in Denver, the false bulletin has impeded the fund-raising efforts of AIM and the Crusade damaged the reputations of the two organizations and Gonzales and violated their civil rights.

The suit, the filing of which was announced at a Wednesday press conference at Crusade headquarters, asks that the organizations and Gonzales be awarded \$3.2 million in compensatory and punitive damages and that those named as defendants be ordered to apologize in writing for the transmission of the erroneous bulletin.

The suit names Edward P. Leonard, the commissioner of the Connecticut State Police; Leonard F. Chapman, commissioner of the Immigration Service; and Robert Mosey, chief investigator for its Connecticut offices.

According to suit, Mosey became familiar with a "street level" rumor about the supposed plot to murder policemen and passed it along to Leonard, who authorized transmission of the bulletin.

SEP 2 1976

SEP 4 1976

Optimism voiced on ending fishing controversy

Negotiations between ^{WU 297F} Indian tribal attorneys and the Oregon Fish and Wildlife Commission have generated optimism among participants that the Columbia River fishing controversy can be resolved.

Gov. Bob Straub, in a speech Thursday in Astoria, disclosed the "delicate and vital" negotiations between the state agency and Yakima, Nez Perce, Umatilla and Warm Springs Indians.

Persons involved in the negotiations were unwilling Friday to disclose details of the discussions, but they said the talks are more serious and substantive than any previous ones.

Dennis Karnopp, attorney for the Confederated Warm Springs Tribes, said he is "hopeful something will take place."

"What we hope to achieve is some means of management of the fishery without constantly having to go back to

court after every Fish and Wildlife Commission meeting," he said.

John R. Donaldson, director of the commission, described the talks as "very meaningful."

Donaldson said the negotiators are trying to work out a formula for determining what is a fair share of fish for Indian fishermen and a means of involving the Indians in comprehensive planning for management of the Columbia River salmon fishery.

"I'm enthused," Donaldson said.

Jack Steiwer, chairman of the com-

mission, said he also is optimistic that the negotiations might resolve the controversy that has led to numerous court hearings and decisions during the past nine years.

PAGE ONE "Butting our heads against each other is not only expensive but futile," Steiwer said.

The impetus for the negotiations was a court session several weeks ago in which U.S. District Judge Robert Belloni told attorneys they should try to resolve issues in the fisheries controversy through negotiation rather than returning to court every time there is a disagreement.

In 1960, Belloni ruled that Indian treaty fishermen have a right to catch a fair share of salmon returning to the traditional Indian fishing grounds.

Since then, Belloni has frequently been asked to decide whether a given

season set by Oregon and Washington fisheries officials is fair to the Indians.

While the negotiations so far have been primarily between representatives of the Indians and the state, Steiwer said sports and commercial fishing interests would be consulted before a final agreement is reached.

Another supporter of the group, Melinda Rorick of the Native American Solidarity Committee, said she flew into Oklahoma City from San Francisco Tuesday night to "observe" the situation involving AIM and the grand jury.

"The reason our people are gathered here today is to expose the illegal abuse of the grand jury system by the U.S. attorney's office and the FBI," declared another spokesman, Dwain Camp, Ponca City.

Among the signs that were being carried was one by a 3-year-old girl which read, "Will my life always be a harassment?"

"End grand jury abuse, support Indian resistance" was another sign being carried. Still another sign read: "Stop FBI attacks on Indian people now."

SEP 1 1976

SEP 1 1976



Abuses alleged

Ron English, St. Paul, Minn., was among leaders of the American Indian Movement who claimed today the U.S. Attorney's office is harassing Indians. English, a member of the national governing board, said he came to Oklahoma City to examine alleged abuses against AIM supporters.

\$200,000 offered, AIM supporter says

By Jim Bradshaw

A supporter of the American Indian Movement claimed today he was offered \$200,000 by federal agents in Alamosa, Colo., in early August to testify before an Oklahoma City federal grand jury concerning explosives thought to be in his possession.

Leroy Casados charged in Oklahoma City that two agents of the Alco-

hol, Tobacco & Firearms Division of the U.S. Treasury Department made the offer at the Alamosa airport.

Casados, who is not an Indian, made his statement at a press conference in front of the Old Post Office Building downtown.

U.S. Atty. David Russell, when informed of Casados' claim, said, "That's obviously ridiculous.

"I haven't talked to the agents, but I can say that's ridiculous," he added.

Asst. U.S. Atty. Susie Pritchett, who has been handling cases involving AIM, claimed: "As far as the U.S. Attorney's office is concerned, that's absurd — a bunch of bunk."

At the same time Casados revealed the alleged \$200,000 offer, he produced a letter to him from Mrs. Pritchett, offering him immunity from prosecution in exchange for testimony "for the government concerning the explosives known to have been in your possession."

The letter was written Aug. 16, after the money was allegedly offered.

"For your testimony, we are pre-

pared to seek immunity from the Attorney General of the United States," the letter said. "In addition, we will provide protection and whatever else is available to us."

Mrs. Pritchett confirmed that she indeed wrote the letter, but only after she said the U.S. Attorney's Office learned "that he wanted to talk to us."

Casados and his wife, who live in Denver, had been subpoenaed to testify today before the federal grand jury.

However, the U.S. attorney's office withdrew the subpoenas last weekend, resulting in charges by AIM leaders that the U.S. attorney's office was merely harassing Indians.

Several other AIM leaders were called to testify before the federal grand jury last month.

Speculation is that the U.S. Attorney's Office is investigating an alleged assassination threat against Oklahoma Sen. Dewey Bartlett.

AIM leaders have strongly denied the allegations.

About 25 sign-carrying Indians were on hand at today's press conference, which was called to criticize the U.S. Attorney's office for using the grand jury as a "tool" to harass them.

Several Indian leaders from out-of-state were on hand for today's activities.

Included among those was Ron English from St. Paul, Minn., who said he was one of the organizers of AIM in the late 1960s and currently serves on the governing board of the group.

(Cont'd.)

SEP 4 1976

MINORITY VOICES



Dollars Dwindling For Indian Programs

BY TERRY TAFOYA
Director, Indian Child's Services

Native Americans were guaranteed education. We paid for it with our land. To assist in financing Indian education, numerous resources exist; unfortunately most are inadequately funded.

In 1972, the Title IV Indian Education Act was passed, authorizing federal money for Indian Education. The \$18 million given the program was impounded by then President Richard Nixon, and later released by a lawsuit in the spring of 1973, as a result of the combined efforts of the Native American Rights Fund and other Indian organizations.

Title IV in its broadest sense is an effort of the federal government to help subsidize Indian self-determination in education, something long mouthed by politicians and treaties, but until recently, rarely a reality.

Funding through Title IV is primarily available to eligible school districts, local educational agencies, and non-local educational agencies (for example, Bureau of Indian Affairs schools and agencies supported or made up of Indian Parent Advisory Groups).

Title IV allows a greater flexibility in the funding of programs than other sources of Indian education funds, such as the Johnson-O'Malley Act, which require statements of strict, "standard" academic responsibilities and objectives.

Title IV programs do not always have this academic stress because they are constructed by the parents themselves, rather than by professional educators. Thus Title IV can mention such things as "influencing attitudinal changes."

The Indian Education Act emphasizes Indian cultural activities, while the Johnson-O'Malley money goes to fund programs of a more remedial nature. It is stressed that Title IV is to supplement and not supplant JOM programs. The Act is available to a school district only with the organization and supervision of the Indian Parent Advisory Committee, which determines how to spend the funds.

In addition to its support of Indian

cultural programs for Indian students, there has been an unexpected side-benefit of Title IV, in the formation of the Indian Parent Advisory Committees. They have resulted in an increased cooperation and consolidation among the Indian parents.

In some cases, particularly in urban settings, Indian parents who did not even know of one another's existence are coming together for the sake of Indian self-determination, the real issue of Indian education.

The problem has arisen, however, that more and more organizations are applying for the limited Title IV funds. At the same time, Title IV funds will be reduced for the coming year, and a new division of it will be created for Native American Scholarship funds.

Regrettably, Congress approved the scholarship, but rather than providing new funds, mandated that the money be taken from the previously budgeted funds.

Indian tribes and urban groups are now realizing this means many of the programs presently funded will not be funded next year. The competition will be too great.

Frequently in school districts with a small Indian population, the Title IV program is the only thing that holds any relevance for the Indian students. Tutors, Indian instructors and counselors hired through Title IV money will disappear, since they were paid for with "soft money," rather than being a regular part of the school system.

As competition increases, those who evaluate the Title IV proposals for funding will begin rejecting proposals, not because they poorly represent the needs of Indian students, but because they may not totally conform to the technicalities of proposal writing.

Programs that are large enough and rich enough to have access to a professional grant writer probably will be the ones that will receive continued funding.

The small programs will suffer. The funding crunch will hit the small tribes and organizations with few other resources to meet needs. In other words, those programs that need the funding the most will have the greatest difficulty obtaining it.

SEP 8 1976

Engineer fails to get congressional support for national 'Indian week'

HOUSTON (UPI) — NASA engineer Jerry Elliott, a member of Oklahoma's Osage Indian tribe, Tuesday said his 4-month effort to obtain congressional support for a Native American awareness week will fail without quick action.

"For months, all our congressmen had to do was call the offices of Rep. Theodore Risenhoover, (D-Okla.) or Sen. Lloyd Bentsen, (D-Texas) and say they support the resolutions, that's all," Elliott said.

"This celebration and education week is all positive. No funding is required. There is nothing controversial about it. I can't see how anybody would say they will not support it."

The soft-spoken Elliott, 34, has obtained the endorsements of the governors of California and Oklahoma, and the mayors of Oklahoma City and Los Angeles. He said in at least one case he

knew the lack of congressional support was not apathy.

"In May, Sen. James Abourezk introduced the resolution, waited two weeks and then withdrew his support. No reason was given, and my questions were not answered," Elliott said.

The veteran space flight controller, who worked in Gemini, Apollo, Skylab and Apollo-Soyuz missions, then stepped up his personal campaign to set up the Oct. 10-16 celebration and education week.

"The Bicentennial really isn't much for the American Indian to celebrate," he said. "On the other hand, it has never happened before that this country paid tribute to the citizens who have been here considerably longer than 200 years.

"The stereotyped and distorted images that this country has of American Indians persists. It needs to be corrected."

"There's no sense in spending thousands of people," she added. Court determinations would be required to resolve the situation. The decisions would take months or years and might not neces-

sarily be in favor of the Indians.

But a case can be made, she said, that if local property taxes imposed over the years on Indian owned land on reservations were invalid, the land could not have been seized for nonpayment of taxes imposed over the years. If that has been taken, it thus could not have been legally sold to the subsequent owners.

Thousands of Acres

Exactly how much land is involved is not known. In Wisconsin, it could be thou-

sands of acres worth hundreds of millions of dollars, said John Wiley of Wausau. He is director of Wisconsin Judicare, a legal aid organization active in Indian affairs.

An indication of the scope of the issue, Wiley said, is in land inventory records for the Bad River Indian Reservation in Ashland and Iron Counties. Of the 118,000 acres of reservation land, it appears that 30,000 or more may have been taken from Indian owners for nonpayment of taxes.

Several recent court decisions on taxation of Indians are behind the question of land ownership. The most recent, a US Supreme Court ruling in June, declared that a Chippewa Indian in Minnesota could not be assessed a personal property tax for a mobile home he hauled to a reservation.

Wisconsin Revenue De-

partment officials have virtually conceded that Wisconsin has no authority to levy income taxes on money earned on reservations by Indians living there. The Revenue Department also is studying implications of sales, gasoline, cigaret, liquor and other taxes collected on reservations.

But so far the state has not reached a conclusion on the status of property taxes, according to John D. Niemisto, an assistant attorney general.

MILWAUKEE JOURNAL
MILWAUKEE, WISC.
D. 350,005 SUN. 543,922

SEP 5 1976

Court War Possible Over Indian Land

By Charles E. Friederich
Journal-Madison Bureau
Madison, Wis. — A whisp of a legal cloud is forming over ownership of thousands of acres of privately held land on Indian reservations in Wisconsin, and the cloud has the potential of billowing into a thunderhead.

At stake could be millions of dollars worth of reservation lands that once were owned by Indians but were seized over the years by counties for nonpayment of

property taxes. Much of the land is now held by non-Indians and has been developed with summer homes, resorts and other businesses.

"The implications could be staggering," said Marina Shulstad, an attorney who is an expert on tax laws as they affect Indians. She is with the US Interior Department's office in Minneapolis.

Long Process

It is legally possible, she said, that the present "owners" do not really own the property and that the original owners of their descendants might claim it.

Contd.

Years ago, the Wisconsin Supreme Court ruled that reservation lands could be taxed if they no longer were held in trust for the Indians. But it is possible that the Wisconsin decision could be challenged in light of the US Supreme Court ruling, Nlem-isto said.

Rooted in Culture

The property taxation issue is rooted in Indian culture, according to Wisconsin Judicare's Wiley. It dates to 1883, when Congress enacted legislation permitting reservation lands, then held in trust for the Indian community, to be allotted to individual Indians.

"The whole concept of individual land ownership was entirely foreign to Native Americans," Wiley said. "They regarded land as their mother — and you don't own your mother."

If the notion of owning land was alien to the Indians, the notion of paying taxes on it was incomprehensible. Local authorities levied property taxes, but in many cases the taxes were not paid. Eventually, counties took over the lands by tax deed. Much of the land was sold to non-Indians; counties still own other parcels, Wiley said.

Fight Certain

In Wisconsin, the Menominee tribe elected not to have its lands allotted to individuals until termination of reservation status occurred, so the ownership problem is not thought to be serious there, Wiley said.

If a serious threat to ownership develops, a well financed fight by the present owners can be expected. And formidable legal arguments will be presented against disrupting the status quo.

There are, for example, state laws that embody the maxim that possession is nine-tenths of the law. Statutes of "adverse possession" prohibit challenges to the ownership of property if it has been fenced, farmed or otherwise occupied without challenge for (depending on the circumstances) 10 to 20 years.

But these are state laws, and the whole direction of the Supreme Court decisions has been toward invalidating the application of state laws to Indians living on reservations. Whether these state laws would provide protection to present owners is, according to Atty. Shulstad, "an unsettled area."

Several Alternatives

The Bureau of Indian Affairs has requested additional personnel to study the complex situation, determine the extent of the ownership question "and set the record straight — including, if necessary, litigation," Mrs. Shulstad said.

It is difficult to predict how the issue might finally

be resolved, Wiley cautioned. It is possible that ownership could be challenged through one or several test suits against present owners, by a class action suit on behalf of all affected Indians or by other means, he said. Should it turn out that the Indian claims are valid, it is conceivable that some sort of claims commission would be set up to work out settlements, he speculated.

Mrs. Shulstad said that if the Indian claims were found to have merit, "they will be handled in an orderly fashion, recognizing the rights of all."

U.S. Seeking Liquor Sales By Apaches

Albuquerque Journal

SEP 15 1976

By BILL HUME

The Mescalero Apache Tribe should be allowed to sell liquor at their Inn of the Mountain Gods near Ruidoso without having to acquire a state liquor license, the U.S. Attorney's Office argued in a brief filed in their suit against State Liquor Director Carlos Jaramillo.

"The United States seeks a declaratory judgment from this court that the Mescalero Apache Tribe has the sole authority to license and regulate the sale of liquor through tribally operated outlets located within the outer boundaries of the reservation, so long as these outlets are operated in conformity with the tribal . . . liquor ordinance . . ." the federal brief, formity with the tribal liquor ordinance . . ." the federal brief, signed by Asst. U.S. Atty. Ruth Streeter argued.

The brief, on the merits of the case, argues the federal viewpoint of the law, based on the facts stipulated to last month by the state and the U.S. Attorney's Office.

The brief cites several cases limiting the jurisdiction of state law on federal Indian reservations, including Supreme Court cases which permit — even in New Mexico — the sale by Indians on reservations of tobacco products exempt from state taxation."

"Note also that New Mexico's Alcoholic Beverage Control Act provides for imposition of taxes . . ." the brief stated. No argument was made concerning the taxes, however.

New Mexico Deputy Atty. Gen. Tom Dunnigan said he had taken over the conduct of the state's side of the Mescalero case from Asst. Atty. Gen. F. Scott MacGillivray, who is ill.

"I haven't started it," he said of the state's argument on the merits of the case. He said he hadn't yet seen the federal brief, which was filed Sept. 9.

Contd.

"It hasn't gotten to my personal attention yet," he said.

The federal brief noted that federal law requires Indian reservation liquor operations to be operated "in conformity with" applicable state law.

The use of the phrase "in conformity with" to indicate strict compliance with all of New Mexico's Alcoholic Beverage Control Act was not intended, the brief argued. "Conformity means merely in harmony with and not in strict compliance with..."

The Mescalero case arose when State Liquor Director Carlos Jaramillo, on advice of Atty. Gen. Toney Anaya, last year denied a Mescalero application to move a tribally owned liquor license to the Inn of the Mountain Gods.

The reason was that the inn lies within the five-mile buffer zone of the

town of Ruidoso, even though it lies on the federal Mescalero Reservation, and is in the next county from Ruidoso.

Rather than seek to purchase a high-priced Ruidoso buffer zone license, the Mescaleros persuaded the federal government to file the suit seeking the judgment that a state license is not required.

Liquor operations without a license at the Inn have continued under terms of a temporary restraining order.

"(Federal law) grants the tribe the option to allow the sale and consump-

tion of alcoholic beverages within its reservation and to regulate the conditions of such sale or consumption provided such regulation is in conformity with state law," the brief argued. "The enforcement of (federal law) is a federal operation.

"(Federal law) does not grant the State of New Mexico any licensing or other regulatory authority over the Tribe and it is submitted that this court should issue a declaratory judgment to that effect with appropriate injunctive relief."

Should the Mescaleros win the case, it presumably would clear the way for operation of Indian-owned liquor establishments on Indian reservations all over New Mexico, outside the terms of the state's quota system of issuing licenses.

THE ARIZONA REPUBLIC

PHOENIX, ARIZ.

D. 211,962 SUN. 318,839

SEP 10 1976

Redistricting studied to help Indians

By BILL DONOVAN

WINDOW ROCK — The U.S. Department of Justice is studying the supervisor districting patterns of four counties with large Indian populations in northwestern Arizona and northeastern New Mexico.

Roger Schwartz, an attorney for the department's Indian Rights division, said Thursday he is studying the county supervisor districts in Coconino and Navajo counties in Arizona and McKinley and San Juan counties in New Mexico.

The investigations are similar to the

one the department conducted two years ago in Apache County, Arizona. That probe resulted in reapportionment of its supervisor districts.

The Justice Department claimed that Apache County officials were depriving the Navajos of fair representation by allowing only one supervisor district for the 30,000 residents of the Navajo Reservation while giving two to the predominantly Anglo, 7,000-population nonreservation portion.

Schwartz said the department has just begun its new study and it will take two months to complete. He said it took the

Indian rights division more than two years and a court fight to get Apache County reapportioned.

The investigation of the four counties is part of the Justice Department's efforts to insure that counties with large Indian populations have equal voter representation, Schwartz said.

The department also is investigating the council precincts on the Navajo Reservation, he said, because of complaints that several large communities are not getting equal representation.

For example, the tribe's largest community, Shiprock, N.M. and LeChee, a small community near Ganado, both elect one representative to the 74-member tribal council. Shiprock has a population 13 times larger than LeChee.

The Navajo Tribe recently hired a California firm, C. Howard Wilson, which conducted a reapportionment

study for the redistricting of Arizona voting precincts, to do a similar study for the tribe. Tribal officials have said that the reservation voting precincts would be changed before the 1978 tribal elections.

Schwartz and another Justice Department attorney spent Tuesday and part of Wednesday in Apache County reviewing the county's election process.

AUG 24 1976

Water theme: Share

By Nick Snow

Deseret News energy writer

PARK CITY — Government and Indian officials must work more closely to share scarce water because of growing demands for energy development, three experts said today.

The trio — Gary Weatherford of UCLA Law School; John Carver, Denver University College of Law; and Dallin W. Jensen, assistant Utah attorney general — spoke at a conference on energy and public lands.

The conference, which began Monday and will conclude Thursday, is cosponsored by the University of Utah College of Law, the U. of U. Division of Continuing Education and the Environmental Law Institute, Washington.

"Multiple purpose water management is a reflection of the fact that the resource contains varied values for human society," Weatherford said. "Water has utility for potatoes, potash, power, perch and poetry.

"Most values have been recognized through preferences in legal rules and entitlements in contracts. To change the relative position of any one of the values requires adjustment in the way the other values are regarded in the system," he continued.

Preference for the preservation of minimum

flows for fish and river runners, for example, can mean reduction in crop land, according to Weatherford. "Hydro-power production can mean foregone storage. Storage means shoreline camping and lake fishing, but it also means evaporation which means some loss in utility of the resource.

"The trade-offs occur not only between uses, of course, but between regions. Saline agricultural return flows from an upper valley can reduce or raise the cost of agriculture downstream," he said.

But, Weatherford added, despite its new prominence, energy is not a newcomer in water demands.

"It has played a significant role in western water development and management since the turn of the century, initially through hydroelectric production and later through the addition of coal-fired steam generation plants," he said.

The competition has stiffened, he continued, because "the rise in energy demand is paralleled by heightened water demand for other uses and values in the multiple purpose family, particularly water quality, Indian development and recreation."

State, federal and local governments can encourage maximum use of water by encouraging the transfer of rights from existing non-uses to energy uses; by encouraging conservation of existing supplies so more water becomes available, and by developing new sources, Weatherford said.

Carver warned that it will be necessary to further resolve Indians' general relationships with state governments before addressing the problem of compensation for water rights.

"In other words, I think that whatever is decided by Congress or the Supreme Court about the rights of the federal government with respect to reservations other than Indian reservations will be a starting point, but not a limitation, on how it will choose to deal with the rights of the Indians," he added.

Carver also predicted that Indians will probably eventually be compensated for their water rights, instead of having them replaced or preserved in kind.

"A third guess is that it will not ultimately be possible to integrate the claims of Indians into state systems of water administration under the present state of the law concerning Indian rights generally," he continued. "As a corollary, I do not believe the federal courts will accept the task, for lack of an acceptable theory for their guidance in the case law.

"For these reasons, I forecast that a new and independent instrumentality will be created to hear and determine all controversies with respect to monetary compensation for any losses suffered by Indians to their rights which can not be accommodated within state water law administration systems," Carver said.

Noting that states throughout the Mountain West are in various stages of revamping and upgrading their water allocation plans, Jensen said it is because "the competition for water has never been greater.

"Not only must potential energy projects compete for water with other consumptive uses such as municipal, industrial and agricultural, but also with increasing demands to leave water in natural stream channels to satisfy instream flow needs for recreation and fishing purposes and to protect the natural stream environment," he said.

The western states are experiencing demands upon the available water resources to satisfy an ever-increasing volume of uses. The need for the states to formulate and implement a coordinated program for the allocation and utilization of their water resources has never been greater, Jensen said.

Attention is presently focused on state water planning programs, allocating unappropriated water, completing existing appropriations, making proper changes and transfers and handling interstate appropriations, such as those caused by piping coal on a slurry line from one state to another, according to the Utah legal official.

"While it is true that some of these reforms still reflect a piecemeal approach to solving water problems, nevertheless it appears that a number of states are trying to stake out and implement a more comprehensive and coordinated state water policy," Jensen said.

SEP 14 1976

Oct. 9 hearing planned

Judge favors plan to divide disputed Navajo-Hopi land

By BILL DONOVAN

TUCSON—Federal Judge James Walsh said Monday he favors the proposal submitted by a federal mediator to end a century-old land dispute between the Navajo and Hopi tribes.

Before issuing an order to this effect, however, Walsh has scheduled another hearing for Oct. 9 with representatives of the two tribes to discuss possible problems.

The partition line, drawn up by William Simkin of Tucson after six months of negotiations between the two tribes, would force the relocation of some 3,500 Navajos and 30 Hopis.

Walsh's decision is expected to end a dispute that has been the subject of fights in courts and in Congress since 1962.

The disputed land surrounds the present Hopi Reservation northeast of Flagstaff but is within the larger Navajo Reservation. Navajo attorneys have been trying for 14 years to get the Hopis to take a cash settlement instead of the land. The Hopi Tribe has steadfastly rejected this offer.

Both tribes have voiced objections to the Simkin's proposal. The Hopis object to the establishment of what they call a "Navajo island" at Jeddito, a small Navajo community near Keams Canyon.

In the proposed partition, Jeddito would be located within the new Hopi Reservation but would remain Navajo.

Simkin favored this part of the proposal since it would reduce to 30 the number of Hopis who would have to be relocated.

The Navajo Tribe's objections center on tribal officials' beliefs that a better line could have been drawn, which would have resulted in fewer Navajos having to be relocated.

According to the bill passed by Congress in 1974, relocation will begin in two years. A five-year period has been set aside for relocating the families. If they agree to move during the first four years, the families will receive a bonus in addition to relocation expenses.

The problem with relocating the Navajo families, according to Navajo officials, is that there is no more room on the 25,000-square-mile reservation for any more livestock growers. Tribal officials point to Bureau of Indian Affairs studies which claim that most of the reservation is already overgrazed.

The tribe is trying to purchase 25,000 acres of land near House Rock Valley - Paria Plateau owned by the Bureau of Land Management.

Farmington Daily Times

SEP 14 1976

Hogue Quitting Tribal Council

Burnham Chapter voted Monday evening to accept the resignation of Navajo Tribal Councilman Benjamin Hogue if he would agree to submit his resignation in person. Hogue submitted a letter Aug. 25 to Chapter President Wally Davis resigning the post he has held for 14 years.

Hogue's resignation follows the renewal of the tribe's lease with El Paso Natural Gas Co. for strip-mining of about 40,000 acres of coal in the Burnham area. The tribal council's renewal of the lease brought a flood of protest.

Hogue, in his letter, said he had considered the matter seriously before submitting his resignation.

"The Bible says, 'A house divided against itself cannot stand.' I have stood for certain types of development, which have been opposed," the letter said.

"Burnham people are willing to work together, but as long as interferences are made, my term as councilman has no useful effect for people to progress," the letter continued.

The councilman said he lacked support from the chapter.

Once his resignation is formally accepted, the Navajo Tribal Council will declare a vacancy to exist and the chapter may proceed with election of a new council member.

MacDonald Warns

By JERRY KAMMER

WINDOW ROCK, Ariz. (Dine Bureau) — Navajo Chairman Peter MacDonald has warned that unless the federal government and the Hopi Tribe show greater concern for Navajos living in the Joint Use Area, the plan to relocate Navajos from half the area will face "a tremendous amount of resistance, and maybe even a refusal to make any kind of move."

Charging that the federal government

and the Hopi Tribe have been "insensitive and uncooperative," MacDonald said the relocation program "could become a national scandal like Kent State or My Lai."

"We have been warning what the consequences of relocation might be," MacDoanld said. "That was not idle talk to scare people. Some people apparently believe that the Navajo people will just pick up their sheepskins and walk away. That is not going to be the case."

GALLUP INDEPENDENT

SEP 16 1976

of Relocation Resistance

MacDonald warned that unless Navajo needs and concerns receive attention, "we will amke a stand using every means we have, even if it means barricading ourselves there."

Plan Would Move 3,500

MacDonald's remarks come after an announcement from federal district court Judge James Walsh expressing tentative support for a federal mediator's plan to divide the disputed Joint Use Area equally between the two

tribes. The plan would establish boundaries forcing some 3,500 Navajos to relocate from lands which would be turned over to the Hopis.

About 30 Hopis would be forced to move from land which the mediator's plan would give to the Navajos.

The plan will be reviewed in Tucson Oct. 9, in a meeting among Judge Walsh and lawyers representing the two tribes.

MacDonald expressed anger that the Navajo application for federal lands in the House Rock Valley is being delayed by an environmental impact study that will probably not be completed until early 1988. Navajo acquisition of 250,000 acres of federal land was authorized in 1974 legislation to settle the Navajo-Hopi land dispute.

"This is typical of the process that has caused us so much frustration," MacDonald said. "Here we are about to have a court order forcing several thousand people to leave their homes and yet we have no place for them to go. This causes a tremendous amount of anxiety."

Reassurances Seen Lacking

The Navajo chairman took a slap at the controversial Navajo-Hopi Relocation Commission, charging them with "failure to work with the Navajo people to ease their fears."

"There have been no reassurances to the people as to how they will earn their livelihood in whatever place they are forced to go," he said. "The people fear they may be taken to this place and just left there. What about jobs, schools, hospitals, roads what have we heard

about these things?"

MacDonald said he has contracted the Secretary of the Interior and members of Congress, asking that relocation commissioners Hawley Atkinson and Rev. Paul Urbano be removed. Atkinson and Urbano have had serious disagreements with the only Indian member of the commission, Robert Lewis of Zuni, who told Atkinson last month he was resigning.

Lewis Wants Indian Members

Lewis has submitted no formal resignation; however, and according to reliable sources he is working to have Atkinson and Urbano replaced by Indians. Lewis himself has refused to comment on his activities.

MacDonald went on to charge that "the Hopi Tribe doesn't care what happens to the Navajos."

"They just want us off the land and have never tried to sympathize with our people," he said. MacDonald said Hopi officials should show a willingness to settle the land dispute "without requiring the relocation of such a vast number of people."

"Federal officials have said the Navajos must cooperate," MacDonald said. "Bt if cooperation means only that the Navajo people will blindly take orders, it has no meaning. The government and the Hopi Tribe must also be willing to cooperate with us, or we will not be willing to cooperate with them."

*interviewed at
9/16/76*

Date

9/16

Indians' Problem Reviewed

"Discrimination against Indians exists in the Salt Lake City area, but the problem is more in terms of Indian people not being trained for particular jobs."



Reynold Harrison, Mr. Harrison, new assistant director of the Utah Native American Consortium, Inc., 120 W. 1300 South, added that this agency is actively engaged in both job training and job counseling for the metropolitan area native American population estimated at 8,000 persons.

More Effective

"Our approach here is becoming more effective," said the 31-year-old Navajo with administration and paralegal experience.

Mr. Harrison, a native of Fruitland, N.M., has been working about six years as a paraprofessional lawyer in the tribal courts on the Navajo Indian Reservation.

Cultural Differences

"One of the big problems of urban Indians is adjusting to cultural differences," Mr. Harrison said.

He noted that the Utah Native American Consortium, with 10 employees and both private and governmental funding, has stressed orientation programs for Indians in the Salt Lake City area to prepare them to make transitions from rural to city living.

SEP 15 1976

GALLUP INDEPENDENT

BIA Suspends Auctioneer

PHOENIX, Ariz. (AP) - The auction duties of a White Cone contractor who sold \$1.1 million worth of U.S. government livestock at 75 per cent of market value to his business partner and other associates have been suspended by the Bureau of Indian Affairs.

W.D. Baker of Joseph City, Ariz., the contractor, conducted auctions at White Cone until last Sunday. White Cone is a Navajo settlement in the joint-use area north of Holbrook. The Navajos have been ordered to sell their livestock to the government to clear the range.

Baker not only did the buying for the government, but the same day sold the government's livestock at auction.

BIA officials said Baker's conduct at the auction was investigated and no further action was planned.

"While we have no evidence, nor feel any wrongdoing has been committed, sufficient grounds exist for people to be suspicious," said Jose Zuni, BIA director of administration in Washington.

Zuni said Baker is still the contractor for the appraisal function of the contract until it expires Sept. 30. He said Baker has announced plans to bid when the contract is issued again.

The cattle auction had been going on almost daily for more than three months. The BIA and Baker acknowledged they did not follow the usual procedure of publicly advertising a federal sale.

Lynn Montgomery, assistant project manager in the BIA's joint-use area office in Flagstaff, said the government is trucking the livestock directly to market in Phoenix and Cortez, Colo., until the conflict question is cleared up.

The joint use area office is responsible for removing and selling some \$4 million worth of Navajo livestock, to open the land for Hopi settlers.

Thursday, Sept. 23, 1976

Leonard Ware, Author, Editor, Dies

Leonard Ware, 76, a former newspaperman, government official and an author, died of an aneurysm Sunday at Mary Hitchcock Hospital in Hanover, N.H.

Mr. Ware, who lived at 3614 Idaho Ave. NW, was vacationing in New England when he was stricken. He had lived here since 1953.

Born in Roxbury, Mass., he was a graduate of Roxbury Latin school and Harvard College. He served as an Army officer during World War I.

In the early 1920s, Mr. Ware taught at Middlesex School in Concord,

Mass., then joined the Springfield (Mass.) Union as a reporter. Later he became an editorial writer for the Boston Herald.

During World War II, he served in Washington, London and the Pacific as a commander in the Navy's historical Division. He later contributed to the late Samuel Eliot Morrison's history of the Navy in World War II.

After the war, Mr. Ware returned to the Boston Herald as director of the editorial page. He took further studies at Harvard and Colby College, including Russian, and was named public af-

fairs officer for the U.S. Information Agency in Tel Aviv, Israel, in 1948.

He returned here in 1953 and served at the State Department and then as program director of Interior's Bureau of Indian Affairs, until retiring in 1964.

Mr. Ware taught English and history at Marjorie Webster College until 1969. He wrote a biography of Mrs. James Storrow, a well known Boston civic leader.

He also wrote brief histories of the Washington Harvard Club, of which he had been a board member, and of

All Souls' Unitarian Church. He continued to contribute to magazines and newspapers.

Mr. Ware had served at one time on the board of the Family and Child Welfare Services here. He was a member of the National Press Club, the Civil War Round Table, the Army and Navy Club and the Aviation Club.

He is survived by a sister, Mrs. Edward D. Bement, of Cape Cod. The family suggests that expressions of sympathy may be in the form of contributions to Roxbury Latin School.

THE ARIZONA REPUBLIC
PHOENIX, ARIZ.
D. 711,962 SUN. 318,839

SEP 9 1976

San Carlos Lake is closed by hazard from dying fish

By ROBERT L. THOMAS

San Carlos Lake and lower Painted Rock Reservoir have been closed to the public because of the health hazard created by thousands of dead or dying fish, the Arizona Game and Fish Department said Wednesday.

San Carlos Lake, east of Globe, will be closed indefinitely and Painted Rock Reservoir, west of Gila Bend, will be closed for three weeks.

Al Guenther, wildlife manager of the game department, said the Army Corps of Engineers closed Painted Rock because the decomposing fish had created noxious hydrogen sulfide gas fumes.

The massive die-off of fish, involving mostly carp and goldfish, was caused by the corps' flushing stagnant water from the upper reservoir into the lower impoundment.

Last June a fish die-off happened in the upper lake and the condition worsened until the corps decided it was necessary to clean out the lake by letting the water flow through the Painted Rock dam, into the lower lake and down the Gila River.

In the process the poisonous water killed the fish in the lower lake. The three-week closure will allow the hydrogen sulfide fumes to dissipate and give the corps time to clean up the dead fish.

The San Carlos Indian Tribe closed San Carlos lake Wednesday by erecting roadblocks on all dirt roads leading to the shrunken lake.

The closure was necessary, according

to the Bureau of Indian Affairs, to avoid pollution caused by the dead or dying fish and to prevent fishermen from becoming mired in the mud flats around the lake.

"Already the smell of dead fish is tremendous," said John Artichoker, BIA director for the area, "and the deep layer of silt and mud poses an additional problem to sportsmen using the lake."

Artichoker said old U.S. 70, a paved road which crosses Coolidge Dam and goes to Bylas, will remain open to the public.

"The water level in the lake is now about six inches above the dead storage and we expect it to reach dead storage in a week," he said.

Last week the surface temperature of the man-made reservoir was 87 degrees and the oxygen readings had dropped to 2.5 parts per million a few feet beneath the surface, indicating a low level of life support.

Jim Sprague, fisheries supervisor for the department, said worsening conditions soon will make the lake's fish undesirable as food.

Unless a major storm occurs soon, much of the lake's fish life is doomed, Sprague said.

On July 1, the Arizona Game and Fish Commission removed all bag limits on San Carlos fish in an effort to allow the public to harvest as many fish as possible before the die-off began.



SEP 3 1976

Board Tries to Avoid Dual-Language Voting

By DAVID MACKENZIE

World Education Writer

The Tulsa School Board Thursday heard plans to circumvent a federal law requiring election materials and voting machines in the Cherokee language.

If successful, the effort would reportedly be the first in the nation to avoid dual-language voting information, according to David Fist, school board attorney.

Fist urged the school board to join in the plan along with the city of Tulsa and the Tulsa County Area Vo-Tech District, two other government agencies affected by the federal Voting Rights Act of 1975.

School officials have grumbled that that law meant unnecessarily spending thousands of dollars — they're not sure how much — on Cherokee ballots and voting machine columns.

They noted that nobody voted in Cherokee in last January's school election and that interpreters provided to help Cherokee-speaking voters provided no voters with any aid.

FIST'S PLAN SURFACED RECENTLY at a vo-tech board meeting, but

his presentation Thursday was the first for the school board.

Dual-language ballots are required in a district when there is a minority speaking a recognized language other than English and where the illiteracy rate is five per cent or more, Fist said.

Fist said this situation does not occur in Tulsa County but does in a small part of Osage County that's in the school district.

Fist wants to use what he called the "bailout provision" to sidestep the law. That would mean determining that the minority group in question — Cherokees — didn't have an illiteracy rate over five per cent.

Fist suggested having a University of Tulsa professor, identified only as Dr. Bailey, do a survey in parts of Osage County in the Tulsa city limits. The survey would cost about \$9,000.

THAT COST WOULD BE SPLIT three ways, with Tulsa being solely responsible for the survey cost in Rogers County. Fist said the survey could be done before the next school election in January.

"There's no guarantee the results would be favorable," Fist warned, "but

I think they would be and I think it's worth the money."

He said the U.S. Justice Department and Bureau of the Census have agreed to review the survey, and that the plan "is a little unique, because we are the first political sub-division in the country to take advantage of the bailout provision."

Besides an acceptable survey, a favorable ruling would be required from U.S. District Court, but Fist predicted this would be "a formality."

Fist at first used the figure of \$15,000 for added school district costs in providing information in Cherokee, but then he said it may have been anywhere from \$10,000 to \$20,000.

"The whole tab for the election was \$32,000," said acting Supt. Dr. Bruce Howell, "and normally it's between \$18,000 and \$20,000."

The board also heard a progress report on planned improvements for 13 north Tulsa schools.

Dr. Paul McCloud, assistant superintendent for research, planning and development, presented the 34-page document, commenting, "These are efforts we've made over a year, and I think we've made considerable progress, but I'd be the first to admit that we've not solved all the problems or met all the needs of north Tulsa's schools."

One focal school is McLain High, the target of a grand jury probe last spring. One solution recommended there and at other north Tulsa schools is greater parental involvement.

BOARD PRESIDENT DR. HOBART Sanders called that "one of the higher priority items. Without motivation of students by parents these solutions will be only 25 per cent effective, if that much."

The board went into executive session to consider a personnel matter, and was expected to hear a report from board member Ray Conard on the search for a new superintendent.

Conard denied a report that only eight applicants are left, four from within the school system and four from outside. He said the number of outsiders was eight until last week, when two decided not to stay in the running.

Conard is expected to recommend a candidate at the board meeting next Tuesday at 7 p.m.



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THE WASHINGTON POST

Monday, Sept. 27, 1976

Tribe Opposes Sale of Land for U.S. Flood Project

By Chris Shuey

Special to The Washington Post

FORT McDOWELL, Ariz., Sept. 26—The small Yavapai Indian tribe has voted to refuse to sell most of their 24,000-acre reservation in western Arizona to the federal government for use in a massive flood control and irrigation project.

Saturday's vote, which is not binding on the government, was 144 to 57 against selling the land. There are 456 members of the tribe, which once had about 6,000 members on a 10 million-acre reservation.

The U.S. Bureau of Reclamation had sought to buy 16,985 acres of the tribe's reservation for use in the water project. The government offered to pay \$33.5 million for the land, or about \$73,000 to each member of the tribe.

The government hopes to use the land to hold the waters backed up by the proposed Orme Dam, a one-half-mile-long, 190-foot-high earthen structure that would be built near here. The reservoir created by the dam would force the relocation of some 345 Indians who still live on the reservation.

The proposed Orme Dam is about one-fifth of the \$2 billion Central Arizona Project, a plan to bring Colorado River water into the arid lands around Phoenix and Tucson. The proposed dam has been designed to provide flood control for the eastern portion of the Phoenix metropolitan area, and to hold Colorado River water when ground water supplies in winter months are adequate.

The government will make the ultimate decision on whether to build the dam. Secretary of the Interior Thomas C. Kleppe, who oversees both the Bureau of Reclamation and the Bureau of Indian Affairs, is expected to decide around the first of the year if eminent domain will be used to acquire the reservation land over the objections of the Yavapai.

"The feeling among federal officials is that if there is a large majority (of Indians) against the sale, the government will begin looking for alternative sites," Tribal chairman Clinton Pattea before Saturday's vote.



SEP 11 1976

Indians' bureau bill goes to Ford

WASHINGTON (AP) — The House passed and sent to President Ford on Friday a compromise bill providing special retirement benefits for certain employes of the Bureau of Indian affairs and Indian Health Service.

The bill would apply to non-Indian employes passed over for promotion because of laws giving preference to Indians for posts in those agencies. It would not apply to employes otherwise entitled to full retirement benefits.

The House approved the measure, a combination of House and Senate bills, by voice vote.

UP-136

R B

(VETO)

WASHINGTON (UPI) -- PRESIDENT FORD TODAY CAST HIS 13TH VETO, REJECTING LEGISLATION TO INCREASE EMPLOYMENT OPPORTUNITIES FOR INDIANS BY PROVIDING EARLY RETIREMENT BENEFITS FOR CERTAIN NON-INDIAN EMPLOYEES OF FEDERAL INDIAN AGENCIES.

IN A STATEMENT, FORD SAID HE STRONGLY SUPPORTS THE "OBJECTIVE OF HAVING INDIANS ADMINISTER THE FEDERAL PROGRAMS DIRECTLY AFFECTING THEM". BUT HE SAID THE BILL "IS THE WRONG WAY TO DEAL WITH THIS PROBLEM".

THE MEASURE WOULD HAVE PROVIDED SPECIAL RETIREMENT BENEFITS FOR CERTAIN NON-INDIAN EMPLOYEES OF THE BUREAU OF INDIAN AFFAIRS AND THE INDIAN HEALTH SERVICE WHO ARE AFFECTED ADVERSELY BY INDIAN PREFERENCE REQUIREMENTS.

FORD SAID THE BILL WOULD PROVIDE "WINDFALL RETIREMENT BENEFITS TO A RELATIVELY SMALL NUMBER OF NON-INDIAN EMPLOYEES OF THESE AGENCIES".

"THE INDIAN EMPLOYEES AND OTHER NON-INDIAN EMPLOYEES IN THESE SAME AGENCIES WOULD NOT RECEIVE THESE BENEFITS."

FORD SAID THE PAYMENTS "WOULD SERIOUSLY DISTORT AND MISUSE THE RETIREMENT SYSTEM TO SOLVE A PERSONNEL MANAGEMENT PROBLEM FOR WHICH THERE ARE MORE APPROPRIATE ADMINISTRATIVE SOLUTIONS".

HE SAID THAT HE HAS BEEN ASSURED THAT MANY OF THE NON-INDIAN EMPLOYEES WOULD HAVE "AMPLE OPPORTUNITY FOR FULL CAREERS WITH THE INDIAN AGENCIES IF THEY SO DESIRE."

HE ADDED THEIR PROBLEM "SHOULD BE REDRESSED WITHOUT RESORT TO COSTLY RETIREMENT BENEFITS."

UPI 09-24 08:11 PED

SEP 2 1976

Jobs, workers often

By JANICE LITTLELIGHT
Of The Gazette Staff

Putting the right man in the right job may be the employment office's ideal, but sometimes skills go begging in the marketplace or are simply not offered for sale.

The result is either underemployment or underutilization.

Underemployment is the college grad who waits tables, the geologist who works as a janitor, the engineer who sells appliances.

Underutilized is the teacher who flees the classroom for higher pay in a lower status job, the scientist making a killing as an insurance agent or the nurse who finds work as a secretary.

Sometimes the job market is a Catch-22 situation. You can't get a job without experience and you can't get experience without a job.

Employers prefer hiring someone with experience rather than someone with a record of educational achievement, according to a 1975 Eastern Montana College graduate.

"In the job market I was competing with people who had experience, and most agencies filled openings with an experienced person," said Birdie Rodriguez, who has a business degree, specializing in accounting.

Now she holds a CETA (Comprehensive Employment Training Act) position with the Billings Indian Center as a bookkeeper trainee so she can gain experience.

"Few employers in Billings are enthusiastic about training people," Rodriguez said.

She said she applied everywhere: Bureau of Indian Affairs, Indian Health Service, Montana Job Service, other agencies, and newspaper listings. "I made a job out of looking for a job," she said.

Because Rodriguez wants to remain in the accounting field, and because she doesn't want to move away from Billings, she is

"starting at rock bottom" by accepting a trainee position in the area most interesting to her.

A state Job Service official in Helena said people with specialized fields of education and doing work below their educational level are classified as "underutilized," and a person earning substandard wages or working less than 30 hours a week is "underemployed."

"Underemployment is a difficult thing to pinpoint," he said.

In the winter a construction worker is not underemployed if he works only three days a week. The matter of wages earned places him in a category with people who work 40 hours and earn as much as he would earn in three days.

In a Billings department store, a receptionist-switchboard operator who studied English, graduated from Rocky Mountain College and did work toward a master's degree is "underutilized."

Underemployment, according to Clarence Nybo of the state Job Service in Billings, "is still a little more predominant for women than for men. In selecting careers they have avoided the hard sciences where the greatest demand exists."

According to Gary Lythgoe, a counselor at the same agency, there is a higher percentage of women in the labor market and the number is growing.

With the rise of the unemployment rate, highly qualified individuals go into jobs with lower educational requirements, he said.

There are others who, like Rodriguez, do not want to leave Billings and must settle for trainee positions.

mismatched

Richard Sutton was awarded a master's degree from the University of Montana in Business Administration in 1974. He was a trainee clerk for the city under CETA until two months ago.

He said his is not "a hardship case."

"I just want a permanent job so I can stay here," Sutton said, "because the living out here is easier — not as much pressure."

He is a native of Buffalo, N. Y., and came to Montana in 1970 as a U.S. Air Force launch control officer at Malmstrom

Air Base in Great Falls for four years.

There is no great demand in the outside world for his type of experience, Sutton said.

"I am now doing what I basically studied, and with the experience, I will be moving up." He said he will be getting a promotion with a 33 per cent increase in pay next month.

The problem in Montana is that the pay scale does not equal the cost of living, according to the former Easterner: "It is about three or four years behind the rest of the country."

Sutton said one has to give: either the cost of living goes down or salaries go up. An influx of industry into the area would relieve the two problems, he said.

There is not enough industry in Billings, Sutton said. "Compared to back East there is nothing here."

Many college graduates do take trainee positions.

A number of UM graduates wait on tables at the Rex Hotel. Mark Thomas does, and considers himself underemployed.

However, "I'm very glad to be working here," he said. It is a good atmosphere to work in, said Thomas, who graduated in 1972.

But he doesn't want to be a waiter forever. With experience in teaching agriculture to farmers in French West Africa, Thomas said he wants to return to Africa in the same capacity, but the Agency for International Development (AID) requires

a master's degree.

So, he said, he will be going to graduate school after he leaves Billings.

"Many young people are leaving Billings," he said, "because there are no opportunities here."

Another waiter at the Rex, Corby Skinner, said he is there by choice because he is also going to graduate school.

According to Skinner: "Doing well in school doesn't have much to do with getting a good job. But I don't feel inadequate because I went to school."

He recently received a congratulatory letter from the college president on getting straight A's.

The head of the BIA higher education office in Billings, Carl Vance, said: "The demand for Indian people with college degrees is a lot greater than the

supply, and as soon as Indians get out of college, they can find jobs."

However, Indian Center personnel see it differently. There are many who have just graduated and are without jobs, according to one who completed his education in June.

Some are employed, but are in the "underutilized" category.

A typist for one of the offices at the BIA in Billings received a degree from EMC in June. According to the clerk, "I'm here at this job as a matter of survival because there are no jobs."

BIA relieves contractor of duties as auctioneer

By TOM KUHN

The Bureau of Indian affairs on Thursday suspended the auction duties of a contractor at White Cone who sold \$1.1 million worth of U.S. government livestock at 75 per cent of market value to his business partner and other associates.

W. D. Baker of Joseph City, the contractor, as recently as last Sunday conducted an auction at White Cone, a Navajo settlement in the joint use area 35 miles north of Holbrook. The Navajos have been ordered to sell their livestock to the government to clear the range.

Baker not only did the buying for the BIA, but the same day sold the government's livestock at auction. Records show his partner in a livestock dealership was one of the largest buyers.

The "contract modification" suspending Baker's auction duties was prompted by reports in The Arizona Republic last month that detailed Baker's associations with the men who bought government livestock from him.

BIA officials in Washington and Flagstaff said Baker's conduct in the auction was investigated and that no further action was planned.

"While we have no evidence, nor feel any wrongdoing has been committed, sufficient grounds exist for people to be suspicious," said Jose A. Zuni, BIA director of administration in Washington, in announcing the contract restriction.

"The contract has been modified to separate appraisal function and auction function, to remove the stigma that there could be a conflict of interest or some monkey business involved," Zuni said.

He said Baker "is still the contractor for the appraisal function" until his contract expires Sept. 30. At that time, Zuni said, the contract will be put out to bid again. Officials said Baker has announced he intends to bid.

"Baker will not be involved in the auction of livestock that has been purchased," Zuni said. "This will be performed by a different individual."

The White Cone auction of sheep, cattle and horses had been going on almost daily for more than three months when the newspaper looked into it. The BIA and Baker acknowledged they did not follow the usual procedure of publicly advertising a federal sale.

Baker said news of the auctions went out "by word of mouth and telephone." He said everyone who showed up for the auction had conducted livestock business with him.

Lynn R. Montgomery, assistant project officer in the BIA's joint use area office in Flagstaff, said the government is trucking the livestock directly to market in Phoenix and Cortez, Colo., until the conflict question at the White Cone auction is cleared up.

Montgomery said the BIA will call for bids for the appraisal job Oct. 1. The specifications for the auctioneer are being prepared, he said.

"Our intentions are that the appraisal bidder will not be eligible to bid on the disposal (auction) contract, and vice versa," Montgomery said.

Montgomery and his boss, William L. Benjamin, were advised of Baker's conflicts of interest two months ago. No move to investigate the conflicts was made until the newspaper made inquiries, according to government sources.

The joint use area office they administer is responsible for removing and selling some \$4 million worth of Navajo livestock, to open the land for Hopi settlers.

Hopis, Navajos urged to vote against Steiger

A Hopi leader has urged members of the Hopi and Navajo tribes to vote against Rep. Sam Steiger, R-Ariz., in his U.S. Senate race with Dennis DeConcini.

The Rev. Caleb H. Johnson, vice chairman of the Navajo-Hopi Unity Committee, issued the call for Steiger's defeat after a Sept. 11 committee meeting in Old Oraibi. Steiger sponsored the bill that established guidelines to end a century-old land dispute between the two tribes.

Johnson was in Phoenix Thursday to talk to DeConcini about his position on the 1.8 million-acre dispute. It was not known whether the two met.

Steiger's primary election opponent, Rep. John B. Conlan, R-Ariz., had worked for repeal of the law.

Steiger carried the Hopis in the primary, but not the Navajos, and therefore isn't expected to get many Navajo votes in the general election. It was estimated that a boycott of Steiger by the Hopis would cost him about 200 votes, since most of the Indians generally do not cast ballots in off-reservation elections.

SEP 17 1976 Arizona Republic

Arizona Republic

SEP 17 1976

SEP 9 1976



Bill Tharp

Why Indians Are Worried

WE JUST HAVEN'T been listening.

The Indians have been trying to tell us ever since we arrived that they have a lot to offer, but we just paid them no mind.

We misinterpreted their actions. The first missionaries saw them standing on a hill greeting the sunrise with open arms and jumped to the conclusion they were sun worshipers.

Actually, they were praying to the Great Spirit, thanking Him for the sun and beseeching his watchcare during the day for them and their family.

The early missionary saw them pray before a buffalo skin and jumped to the conclusion they worshiped the buffalo.

Actually, they were offering their prayer of thanks for their daily food, which, for the most part happened to be buffalo.

White men, ever since have watched them sit at their campfires the greater part of the night and read no meaning into it, other than that, possibly they wanted to keep warm.

They watch them dance and think the exercise is as frivolous as their own gyrations at a discotheque or night club.

We just haven't been paying attention.

Serious, old-time Indians are worried about the direction we're going. The white man said it was better for them to give up their culture and quit teaching it because it just hindered their entry into the main stream.

The old-time Indians realize they have traded their birthright for a mess of pottage. The white man isn't going anywhere, unless he takes his eyes off the materialistic and gets back to studying the campfire.

Archie Sam, just back from Natchez, Miss., where the white man is suddenly becoming very concerned about preserving some of the Indian heritage of the region, told me this week why the old chiefs studied the campfire all night.

They sit and try to get themselves right with the Great Spirit, believing that the more of them that are attuned to His voice, the stronger will be the prayers that ascend from their campfire to heaven.

They can read in the fire if there is someone in the circle or in the dance who is giving off bad vibrations, and they will see that person removed.

Quickly, switch from what you are reading here and let your eyes drop to the left-hand bottom of the page. See what Billy Graham is saying.

"...People are aware that there is something radically wrong with our world. Today, many have become jaded and tired of our materialistic society, and hunger for something more. There is a spiritual vacuum in the hearts of many people, and they are looking for something to fill it."

The old-time Indians know that their young ones, ridding themselves of the old ways, are running after false gods.

The white man does not study his religion as hard as the old-time Indians do. He would not sit and stare at a campfire all night to give his prayers more meaning.

He scarcely takes the time to pray — and tries to keep it a secret when he does.

He is off on a tangent and the old-time Indians know it. They worry for the future of their people.

SEP 11 1976

Indian Bureau management termed 'inadequate'

WASHINGTON (UPI) — A task force analyzing the Bureau of Indian Affairs (BIA) concluded Friday almost every area of personnel management in the agency was "inadequate" and recommended a massive restructuring including closure of 12 BIA area offices. The task force said a new organizational structure must be implemented to move decision-making closer to the tribal level.

The report by the American Indian Policy Review Commission task force, manned by 10 executives from private industry, envisioned an annual savings of \$122 million if the government adopts the recommendations.

In its report, the task force concluded there was "a notable absence of managerial and organizational capacity throughout BIA."

"Decisions are made on a day-to-day basis with little long range planning," it added. "Communication among the organizational levels is poor, as are agency-tribe relationships."

City of Dallas, Texas
SEP 11 1976
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SEP 11 1976

Indian health bill approved

WASHINGTON (UPI) — The Senate has passed a 3-year \$475 million bill to provide health care for American Indians.

The bill passed 78 to 0 and was returned to the House, which passed similar legislation.

The bill would provide funds to train Indian professionals and services to provide proper health services to Indians.

U.S. Attorney Says Probe Of Tribe 'Won't Die on Vine'

By HOWARD GRAVES

TUCSON, Ariz. (AP) — U.S. Atty. William C. Smitherman says a federal investigation into alleged criminal wrongdoing in the Navajo tribal government is "not going to die on the vine."

He and Justice Department officials in Washington, D.C., also doubt that the probe will be influenced by the Nov. 2 presidential election outcome.

"The U.S. attorney's office and the federal grand jury will continue the investigation until we exhaust all leads," Smitherman said. "It's a continuing investigation."

He said, too, "A change in the (federal) administration won't have a deleterious effect..."

There are some Navajos and non-Indians working on the nation's largest Indian reservation who question how far and to what depth the probe will be carried.

They declined use of their names in fear of losing tribal and federal jobs and possible intimidation.

At least seven Navajos and one non-Indian have been indicted, convicted or sentenced as a result of the investigation by Smitherman's office and the Federal Bureau of Investigation.

A task force of two attorneys from the Justice Department was especially assigned to the U.S. attorney's office in Phoenix last January to handle the probe.

There have been two federal grand juries in Phoenix involved in investigating what one investigator calls alleged financial corruption in the tribe.

A grand jury was impaneled

in Albuquerque, N.M., last July to consider information. That jury hasn't returned any indictments.

The current federal grand jury in Phoenix meets Wednesday to consider information from Tucson Gas & Electric Co. officials on business relations with the tribe.

The jury also may hear witnesses concerning federal monies placed by a Navajo entity with a Beverly Hills, Calif., investment firm in 1974

and 1975.

The first interest in possible criminal wrongdoing on the reservation came in December 1974 from Dennis Ickes, then head of the Justice Department's Office of Indian Rights.

Ickes, who was based in Washington, spent weekends and holidays in his lone investigation, he said.

He left Justice last March to become deputy undersecretary in the Interior Department.

Smitherman and other Justice Department officials interviewed by a reporter said the probe is considering alleged mail fraud, embezzlement, use of bribes to obstruct interstate commerce and, in general, criminal misconduct.

Most of the investigation's focus is in and around Window Rock, Ariz., the Navajo capital.

Smitherman said Tribal Chairman Peter MacDonald hasn't been subpoenaed by investigators.

MacDonald has denied any wrongdoing by his administration.

One of those indicted and convicted was a staff assistant to MacDonald, who was elected to a second, four-year term in 1974. His annual salary is \$30,000.

The 44-year-old Smitherman said tribal financial records are bad. He said because of tribal accounting procedures it is difficult to tell where federal monies have been mixed in with tribally derived funds.

"It takes time to reconstruct the tribal financial affairs," he said in an interview. "Our investigative techniques are not any different than in reconstructing bank fraud or land frauds. We've got to be careful of the character of the money we're dealing with."

Smitherman, a native of Calvert, Tex., and a Baylor University law school graduate, said, "We've got to be patient and cautious, but not overly so. We build a case one step at a time. It's not how soon I get it done, but that it's done properly."

He said, "In view of the large amount of public money spent on the reservation and the methods of accounting for that money, problems are created which cause this type of an investigation. It lends itself to abuse."

Federal documents obtained earlier this year by a reporter indicated an estimated \$443 million in federal grants and contracts were sent to the Navajos in 1975.

Government sources said the amount may be closer to \$500 million annually for the estimated 150,000 tribal members who live on the 25,000 square mile reservation in portions of Arizona, New Mexico and Utah.

Congressional sources say there is no federal office that actually knows how much public money goes to the tribe.

SEP 21 1976

Farmington Daily Times

Executives Shudder Over BIA Policies

By Vivian Vahlberg
Washington Bureau

WASHINGTON — A group of corporation executives took a look at the Bureau of Indian Affairs' personnel policies and shuddered.

"Almost every area of personnel management in the bureau is inadequate," they concluded in their

Civil Service

"management study" which will become part of the American Indian Policy Review Commission's evaluation of Indian policies.

Here is what they found:

—"There is a notable absence of managerial and organizational capacity throughout BIA."

—"Decisions are made on a day-to-day basis with little long-range planning."

—"Nepotism, favoritism, and in some cases, tribal power determine hiring practices. Vacancies are filled too slowly."

—"Management is often 'autocratic' or 'dictatorial.' Employee input is not solicited and, if volunteered, remains unanswered."

—"Training activities are inadequate at all levels and do not meet BIA needs. As a result, many underdeveloped and underutilized employees operate marginally and mishandle their assignments . . . management intern programs for Indians and meaningful employee orientation programs are practically nonexistent."

—"Training deficiencies at the superintendent level result in quasi-political and political appointees, making functional effectiveness accidental."

—"BIA internal communications are poor . . . information filters down from the central office to area and agency operation, but it is not discussed — it is imposed . . . directives are often superficial and inappropriate. Almost continual internal reorganization and changing interpretations of Indian preference create a rumor-intensive environment where many employees spend excessive time generating or reacting to rumors."

—"Bureau moral suffers because of Indian preference." The study group concluded that failure to understand Indian preference has caused many problems — and has led to situations where jobs are not

filled or they are filled by people who are under or overqualified for them.

"Job categories are being altered to fit the applicant — being downgraded when a competent candidate is unavailable and raised when an administrator wants to provide a reward without justification."

The study was done by a group of volunteer executives from industry, business and academia. It was Oklahoma Sen. Dewey Bartlett's persistence which caused the management study. A similar study had been made of the Oklahoma state government when Bartlett was governor, and he insisted that such a study be made of the BIA or he would not approve formation of the policy review commission.

Members of the study group included persons from Honeywell, Inc., Dow Chemical Co., Phillips Petroleum Co., JC Penny Co., Carnation Co., Colt Industries, Wiyot, Union Carbide Corp. and the University of Arizona.

Their prescription for the BIA was, first, a major organizational change — eliminating all twelve area offices, creating six regional service centers, and making agency heads responsible for the administrative effectiveness of their personnel while making centralized groups responsible for programs.

They called for a large scale training and recruiting program, so that the BIA not only attracts but grooms qualified Indian talent. They called for more systematic attention to job classification requirements — making sure individuals fit the jobs that need to be done, and making sure that the bureau is not over or understaffed.

The group concluded that output of BIA employees "is very low" and that the BIA has made "excessive use of temporary employees."

It suggests dealing with non-Indians adversely affected by Indian preference by giving them limited appointments or special projects, making them personnel, budget or management specialists.

The study group noted that many other studies have been done on the BIA — and few of the recommendations implemented. So, to make sure its recommendations don't follow the same course, the group asked Congress for a law setting up a special office within the Office of Management and Budget to oversee implementation of the recommendations.

AUG 29 1976

Newspapers debate right to run for office

By CHARLES S. JOHNSON
Of The Gazette State Bureau

CUT BANK — Should an Indian who is not subject to state taxes or courts be allowed to vote in state elections and run for office?

The Cut Bank weekly newspaper asked this provocative question earlier this summer. It quickly triggered a war of words with the rival weekly in Browning on the Blackfeet Indian Reservation on the opposite end of Glacier County in northern Montana.

In many ways these two small newspapers are the voices for their communities and reveal the many differences that separate them even though they are only 35 miles apart.

The Cut Bank Pioneer Press, edited by J. Riley Johnson, serves mainly the eastern, non-Indian portion of the county (although he recently hired a correspondent in Browning).

In Browning, the Glacier Reporter, run by Larry D. Miles, is aimed for the most part at Indians living on the reservation.

Johnson raised the emotional issue in an editorial in June after the U.S. Supreme Court ruled that states do not have the right to tax Indians living on reservations. He then zeroed in on a specific example close to home — Leo M. Kennerly Jr., a Blackfeet Indian from Browning and the Democratic nominee for the House of Representatives from Dist. 14.

"Can he serve in the legislature and pass judgment on state matters if he is not a citizen of that state?" the editorial asked. "That is, he is not a taxpayer or subject to that state's laws."

Miles fired back through his Browning paper, blasting Johnson's editorial as "nonsense" and adding: "His thinking that one should not be able to vote or run for office unless he pays taxes represents the kind of antediluvian thinking upon which the poll tax was predicated."

The Browning editor, who is not an Indian, said he didn't



Leo Kennerly Jr. seeks House seat from Glacier County, but some question his right to office because he's an Indian.

find it "threatening that a state with 5 per cent Indian population should have some Indian representation in the state legislature. . . ."

But the Cut Bank editor raised another question and suggested turning the tables: "Can a white man run for the Blackfeet Tribal Council?"

Miles responded that Johnson apparently did not appreciate "the difference between state government and a private corporation."

Johnson, a former executive secretary of the Montana Republican party, said in an interview that he did not advocate preventing reservation Indians from voting or seeking office.

BILLINGS GAZETTE
BILLINGS, MONTANA
Date 9/2

Cheyenne will study Navajo coal effects

By BEVERLY BADHORSE
Special to The Gazette

LAME DEER — Forty Northern Cheyenne are going next week on a 10-day tour to see what coal development has done for — or to — the Navajo reservation.

The trip carries six college credits through Navajo Community College and will be conducted as a seminar in tribal economics by Susan Braine, public information officer of the Northern Cheyenne Research Project.

The 40, including 10 Busby High School students, were chosen from 81 applicants. The school intends to conduct student body panel discussions at the end of the tour and is supplying chaperones and a bus.

Purpose of the tour, which is co-sponsored by the Research Project, is to "better prepare Northern Cheyennes for an informed decision concerning their future."

In addition to on-site visits to the Peabody Coal Co.'s Black Mesa mine and the Four Corners power plant, the

group will explore alternate economic developments.

Visits are planned to a Navajo food cooperative, a wood-processing plant, a uranium mine, a massive irrigation project and an arts and crafts cooperative.

"We plan to steer clear of officials and tribal councilmen and talk with the Navajo and Hopi families living in the area of mining and power plant operations," said Susan Braine.

The group will leave Sept. 29 and return Oct. 8.

SEP 10 1976

Proposed BIA Closure Gets Mixed Reception Here

A businessmen's task force recommendation that \$122 million be saved by closing the Bureau of Indian Affairs' 12 area offices — including Portland's — has been met with mixed feelings here.

The report of the American Indian Policy Review Commission Task Force, manned by 10 executives from private industry, said in Washington, D.C. that almost every area of personal management in the government agency was "inadequate."

The task force recommended a massive restructuring of the BIA, including closing the 12 offices and opening six regional service centers in an attempt to move decision making closer to the tribal level.

Director of the local BIA office, which serves more than 30,000 Indians of 41 tribes in Oregon, Washington and Idaho, said the move would take BIA authorities farther from the Indian people.

But the Urban Indian Program, set up three years ago "to do the job the BIA wasn't doing," called the recommendation a step in the right direction.

"I haven't seen the report so it's precipitous to say anything, but if we're to offer better service, then the closer we are to the reservations, the better," said Francis Briscoe, BIA area director based in Portland.

Refuting the notion of paternalism on the part of the Bureau of Indian Affairs, Briscoe said Indian-BIA business could be slowed down "if we have to take back to the seat of government matters which don't necessarily require a top level decision."

He added, however, that "we can adjust ourselves to the tune of the times — we want what's best for the Indian community."

Sister Francella Griggs, executive director of the Urban Indian Program and herself part Indian, admitted the news "tickled" her.

"The reason we — and similar programs in most major cities — are in existence is that the BIA didn't do its job. If it had, people would have stayed

on the reservations, if the jobs and education they wanted had been there — and so many reservations wouldn't have been closed," Sister Griggs told The Journal.

"I'm not anti-fed, but I am against the way things have functioned for the Indians. If we could have the money the BIA has gotten all these years, the Indian people would have gotten the training they needed," she added.

"I agree that they've been spending a lot and not getting much done."

Established by Congress early in 1975, the review commission found the BIA guilty of making no long range plans, poor inter-agency communication, and too strict control of daily Indi-

an life.

"Every tribal decision throughout the United States is subject to BIA veto, every decision," said the commission's chairman, Sen. James Abourezk, D.-S.D.

"That has to stop and the Indians must make their own decisions," he said in announcing the 59-page report. The final report to Congress is due next February.

The 12 BIA offices are located in Portland; Billings, Mont.; Juneau, Alaska; Aberdeen, S.D.; Albuquerque, N.M.; Anadarko, Okla.; Minneapolis, Minn.; Muskogee, Okla.; Window Rock, Ariz.; Phoenix, Ariz.; Sacramento, Calif., and Washington D.C.



SEP 15 1976

SEP 16 1976

/ For Arkansas riverbed

U.S. advised to make restitution to Indians

By BILL SAMPSON

The Department of Interior has advised Congress to make restitution to Oklahoma Indians for having taken the Arkansas River bed for dam sites and a navigation channel.

The department's advice is an important legal step toward settling the ownership matter with the Cherokee, Choctaw and Chickasaw Indians who proved their title to the river bed in a 1970 U.S. Supreme Court case. Since then the property involved has been appraised at \$177 million.

The legal advice to the legislative counsel of the Congress was written by Duard R. Barnes, acting associate solicitor of the Interior Department's Bureau of Indian Affairs.

The Congressional counsel had asked Barnes for an opinion about bills pending before both the House and Senate authorizing the Secretary of Interior to meet with the tribes to consider restitution.

AFTER RECEIVING the history of the case, which shows the Corps of Engineers constructed the dams and channel without determining ownership of the river bed and without consulting the Indians, Barnes wrote:

"I firmly believe that if the Supreme Court's pronouncement has preceded

Congressional consideration of the construction of the Arkansas River navigation system, the Secretary of the Interior's trust obligation to protect the property interests of Indian tribes would have compelled a request for legislation to compensate the Choctaw, Chickasaw and Cherokee Nations for the destruction of their property interests in the Arkansas River bed.

"The enactment of the subject bill will be the first step in making such restitution to the three Indian nations."

The stretch of the river in question is between Muskogee and Ft. Smith, Ark.

BARNES CITED two examples of legislation to support his opinion. One was a 1944 act to pay the Cheyenne River Sioux for loss of property in the Missouri River bed in connection with construction of Oahe Dam. The other was a 1946 act paying Indians on the Fort Berthold Reservation for property loss due to construction of the Garrison Dam on the Missouri River.

Barnes' opinion indicates the federal government, particularly the Secretary of Interior, was mistaken in a letter dated March 28, 1908, declaring the Cherokee Nation was not entitled to royalties for excavation of sand and gravel in the navigable portion of the Arkansas because after 1907 the "equal footing doctrine" of new states vested title to the river in the state of Oklahoma.

That letter established a policy which was contrary to the Cherokees' treaty of 1828 with the United States which gave them a fee simple title to their northeast Oklahoma lands and to an 1838 patent confirming that title issued by President Van Buren.

Completion of this legal step by Barnes has given rise to speculation the bills could be enacted into law during the current session of Congress.

'Audit Not Unique'

To The Sentinel:

In recent weeks news stories and editorials have appeared relative to the problems of the Lac Courte Oreilles band of the Chippewa

tribe and the involvement of my office in seeking their resolution. While I do not take issue with the specific stories as published, I must point out that the matters which have appeared in print may have unintentionally produced an impression which is not totally accurate and may have served to obscure the major issues involved.

First, I do not make, nor have I ever made, any allegations of wrongdoing relative to the operation of the Lac Courte Oreilles financial affairs; nor did I single out Tribal Chairman Odrick Baker for personal criticism.

If reference is made to similar situations involving Indian tribes, it can be seen that a call for an audit of the Lac Courte Oreilles is not unique. Therefore, it should not produce a predisposition that there was wrongdoing on the part of anyone, since it is frequently found that tribal problems merely reflect the inadequacies of the federal system under which the tribes operate. If, in fact, any fiscal procedures on Indian reservations around the country are inadequate, that is more of a reflection on the Bureau of Indian Affairs and other federal agencies that grant funds for Indian programs and have corresponding oversight responsibilities to see that the funds are properly spent.

The money matters which have received notoriety are merely a fragment of the total picture. The several controversies involving the Lac Courte Oreilles Indian Reservation are more complex and serious than the public can fully understand based on published information.

Cont'd

SEP 9 1976

AIM leader's banishment from reservation lifted

PAGE ONE

By RANDY FURST
Minneapolis Star Staff Writer

The banishment of a state leader of the American Indian Movement (AIM) from the White Earth Indian Reservation has been lifted by the judge who imposed it.

Judge Warren Saetre of Thief River Falls, yesterday reversed himself in the sentence involving Jerry Roy, convicted last month in a shooting incident.

Saetre originally sentenced Roy to up to one year in jail and banned him and his family from the reservation for nine years.

Yesterday, Saetre said that if Roy could produce a lease, deed

or other document that showed he had a legal right to reside on the reservation, he would not be barred from living on the reservation.

"In effect, he lifted the banishment," Douglas Hall, Roy's attorney, said.

However, Saetre said in Pennington County Court that Roy must still serve up to a year in jail at the Northeast Regional Correction Center in Saginaw.

Roy was taken into custody yesterday and held in Pennington County jail overnight. He was scheduled to be transferred today to the Saginaw facility.

Hall said he would appeal the sentence and conviction to the state Supreme court. He filed a notice of appeal yesterday and said it would take four or five months before the court would hear oral argument.

Saetre banished Roy Aug. 18, after he was convicted of two counts of aggravated assault in a shooting incident at the AIM office on the reservation Nov. 11.

SAETRE SAID in an interview with The Minneapolis Star two weeks ago, "I know you're not supposed to banish people, but I thought it would restore peace in the area."

Saetre's unusual sentence provoked controversy on the reservation. Vernon Bellecourt, a national field director of AIM who lives on the reservation, accused Saetre of denying Roy his "birthright."

Roy was accused of shooting several Indians who entered AIM offices the evening of Nov. 11. The prosecution maintained that only one of the Indians that Roy shot at had guns. Roy claimed they all had guns and had begun carrying AIM files and furniture outside to burn them.

IN HIS order yesterday, Saetre said that "in all things (Roy's appeal is) denied except the condition the court imposed upon the defendant to remove himself and

his family from the White Earth Reservation."

Saetre said that "during the time he defendant is on probation he shall not reside upon any of the lands encompassed within the area of what was originally defined as the White Earth Reservation ... unless the defendant files with his probation officer the original or true copy of his legal right and authority to reside on any of such lands such as a lease, deed, or the like from the persons authorized to grant the defendant the right to reside thereon."

BILLINGS GAZETTE
BILLINGS, MONTANA

9/15

Crow coal statement ready

A draft environmental statement on Crow-owned coal is open to public comment, according to James Canan, area director of the Bureau of Indian Affairs.

The statement, "Crow Ceded Area Coal Lease, Tracts II and III, Westmoreland Resources," is being circulated for comments from federal, state and local agencies and organizations to ensure all relevant environmental factors have been identified, Canan said.

The lease area is 65 miles

east of Billings on land known as the Crow Ceded Area.

The draft statement concerns the requirement that Interior Secretary Thomas S. Kleppe reconsider approval of existing coal leases between the Crow Tribe and Westmoreland Resources.

A public hearing will be at 10 a.m. Sept. 29, at Crow Agency for oral and written statements.

Additional information on the hearing and copies of the statement are available from the BIA office in Billings.

A partial list of the issues which demand resolution includes the management of the Chippewa flowage as a flood control and hydroelectric power reservoir; jurisdiction over the flowage as a sport fishing and hunting resource; claims for damages resulting from past flowage management practices; disputed indi-

vidual and tribal property rights; the issue of recapturing some 5,000 to 6,000 acres of additional lands for tribal use, and many others. The State of Wisconsin, the US government, members of the Lac Courte Oreilles band of the Chippewas, nontribal property owners and lessees in the area and the public in general all possess rights which must be defined and protected.

Similar problems have arisen in other parts of the country. Unfortunately, because of historical variables and the individual character of the Indian treaties involved, solutions cannot be readily transported from one jurisdiction to another.

However, I believe we have all learned that ultimately the problems will be resolved — through agreement or court action or the passage of time — and it is to the advantage of all concerned parties to work toward an early settlement.

I am hopeful that, after all the facts are known, equitable solutions can be found, which will be acceptable to all the involved parties.

GAYLORD NELSON,
US senator,
Wisconsin,
Washington, D.C.

BILLINGS GAZETTE
BILLINGS, MONTANA
Date 7/22

Riverton fights denial of grant

RIVERTON, Wyo. (AP) — Riverton officials plan to fight the federal Economic Development Administration's (EDA) denial of a grant aimed at financing construction of an industrial park and a water improvement project here.

City Administrative Assistant Bill Peterson said he has contacted members of Wyoming's Congressional delegation and asked them to help the city gain a reversal of the decision.

"We're going to fight this administrative decision by the EDA tooth and nail," Peterson said.

The grant sought by the city would have helped finance the two projects, which cost estimates peg at \$1,050,000.

An EDA official cited five reasons why the federal agency denied the grant.

The official said plans to build an industrial park and improve the city water system don't jibe with plans for an area also encompassing the Wind River Indian Reservation.

Plans for the area are included in a so-called Overall Economic Development Plan, the official said.

The federal official said other reasons for the denial of the grant are that only part of the project calls for construction of an industrial park and the city's pre-application doesn't mention any merchants having committed themselves to locating in the park.

The EDA also said a suit hasn't been settled that was filed by the Arapahoe and Shoshone Indian tribes.

The suit claims the two tribes own all water springing from their Wind River Indian Reservation.

The federal official also said the funds would have been used for a water improvement project when the city already has enough water.

Riverton officials say most of the reasons given by the EDA are without merit.

"Our pre-application was denied without a hearing and we've been misled for almost two years," charged Peterson.

SEP 12 1976

TALKS INTERRUPTED 100 YEARS AGO

Utes, Comanches Conclude Treaty

By DAN PARTNER
Denver Post Staff Writer

LAWTON, Okla. — The scene last week at Tia-Piah Park was like nothing ever staged in Hollywood — Indians in spectacular ceremonial dress . . . others combat-ready in their war bonnets . . . and still others stripped to the waist and

wearing the traditional buckskin leggings.

The leaders of the Oklahoma Comanches and the Utes of Colorado and Utah — enemies for 227 years — met on the hallowed ceremonial ground to conclude a peace treaty their ancestry began writing more than 100 years ago.

The tribes both are of Shoshonean linguistic stock but their age-old alliance was broken first by the Spanish, who fanned the feud by supplying aid to the one tribe and then the other, and kept alive by French traders who in 1748 brought guns to the Comanche camp.

THE COMANCHE attacks finally forced the Utes out of the Oklahoma panhandle country into Colorado and the Rocky Mountains, according to historian Gillett Griswold, director of the Ft. Sill Army Museum. The raids continued for generations until, about 100 years ago, members of the peace-seeking Ute tribe met with their enemy to negotiate an end to the hostilities.

As the tribal leaders were about to shake hands to seal the bond of peace, a shot was fired into the air. The tribes, fearing ambush, immediately engaged in battle and the pact never was completed.

Who fired the shot that torpedoed the treaty meeting?

"Both the Utes and the Comanches blame a Kiowa, but no one really knows," says Griswold. "It is likely that the Kiowas didn't favor peace between the two tribes."

Last week the council leaders of the two tribes, seven to a side, met in solemn ceremony to end the feud.

TRADITIONS OF THE past were revived for creation of the authentic peace-making ceremony. Comanche medicine man Melvin Kerchee made a stately circle of the arena as camp crier, calling the names of those to participate in the historic encounter.

As the principals assembled before the king-sized tepee, site of the peace-pipe ritual, Kerchee and another Comanche

medicine man, Milton (Brownie) Sova, "purified" them individually with the smoke of sacred cedar, fanned by an eagle-wing fan.

When the final handshake "to heal the past" was made, the tribesmen (which included one woman on each side) circled the arena singing the traditional "Chief's Song."

The ashes of the peace pipes (supplied by the Utes) were buried and all participated in a prayer to their common Great Spirit.

Then came an exchange of gifts and the celebration festivities.

Heading the Ute delegation from the reservation near Ignacio, Colo., were Leonard Burch, chairman of the Southern Utes, and Edward Box, medicine man and spiritual leader.

The Comanche leaders included James Cox, council chairman, and Elmer Parker, chairman of the Comanche Gourd Clan, both of whom are grandsons of Quanah Parker, last chief of the Comanches, who died in 1911.

The Utes, Griswold said, long have sought to end the feud and finally arranged the meeting through Perry L. Heath, former Comanche Gourd Clan chairman, now assigned by the Bureau of Indian Affairs to the Ignacio reservation.

The ceremony, symbolic of the unity between many American Indian tribes, may result in an annual meeting between the tribal chiefs to celebrate the pact, Griswold said. The Utes have extended an invitation to meet at Ignacio next year.

SEP 14 1976

Oct. 9 hearing planned

Judge favors plan to divide disputed Navajo-Hopi land

INDIANS 6297 F
By BILL DONOVAN

TUCSON—Federal Judge James Walsh said Monday he favors the proposal submitted by a federal mediator to end a century-old land dispute between the Navajo and Hopi tribes.

Before issuing an order to this effect, however, Walsh has scheduled another hearing for Oct. 9 with representatives of the two tribes to discuss possible problems.

The partition line, drawn up by William Simkin of Tucson after six months of negotiations between the two tribes, would force the relocation of some 3,500 Navajos and 30 Hopis.

Walsh's decision is expected to end a dispute that has been the subject of fights in courts and in Congress since 1962.

The disputed land surrounds the present Hopi Reservation northeast of Flagstaff but is within the larger Navajo Reservation. Navajo attorneys have been trying for 14 years to get the Hopis to take a cash settlement instead of the land. The Hopi Tribe has steadfastly rejected this offer.

Both tribes have voiced objections to the Simkin's proposal. The Hopis object to the establishment of what they call a "Navajo island" at Jeddito, a small Navajo community near Keams Canyon.

In the proposed partition, Jeddito would be located within the new Hopi Reservation but would remain Navajo.

Simkin favored this part of the proposal since it would reduce to 30 the number of Hopis who would have to be relocated.

The Navajo Tribe's objections center on tribal officials' beliefs that a better line could have been drawn, which would have resulted in fewer Navajos having to be relocated.

According to the bill passed by Congress in 1974, relocation will begin in two years. A five-year period has been set aside for relocating the families. If they agree to move during the first four years, the families will receive a bonus in addition to relocation expenses.

The problem with relocating the Navajo families, according to Navajo officials, is that there is no more room on the 25,000 - square - mile reservation for any more livestock growers. Tribal officials point to Bureau of Indian Affairs studies which claim that most of the reservation is already overgrazed.

The tribe is trying to purchase, as outlined in the 1974 bill, some 250,000 acres of land near House Rock Valley - Paria Plateau owned by the Bureau of Land Management.

AUG 29 1976

Chiefs' descendant preserves fading American tribal music

By **ROBERT OLMOS**
of The Oregonian staff

MONMOUTH — To the non-Indian ear, American Indian music can sound as musically unfamiliar as opera must sound to someone whose taste runs to Tammy Wynette.

But to someone like Laroy Selam, who is bent on preserving the fast-diminishing, unwritten body of native American music, it is every bit as beautiful and rich as anything offered on the Metropolitan Opera stage.

Perhaps more so, in Selam's estimation, because much of American Indian music is allied to religious ceremony and conveys a true spirituality opera can only feign dramatically.

The Monmouth man, a descendant of hereditary Yakima chiefs who holds a master's degree from Oregon State University, does not like to call himself an "expert" on Indian music.

But if he — poet, lecturer, tribal singer, composer — is not, who is?

"Dr. Louis Ballard is a well-known Indian composer who uses Indian themes for symphonies he writes. He could be called an expert. I don't have the academic background. I just have the natural background," he said.

In his house, which is replete with Indian artifacts, are hundreds of tapes he has collected during the past seven years in travels throughout the United States, Canada and Mexico. Preserved on them are the songs, chants and religious choruses of dozens upon dozens of tribes.

Visitors listening to the tapes are instructed to note the differences between warrior songs, love songs, prayer songs; the differences between the way the Menominee and Pawnee sing.

"Each tribe has a slightly different way of singing a song, a different way

of beating the drum. A trained ear can easily tell those differences," said Selam, who last year, as artist in residence, taught a course at Bemidji (Minn.) University on Indian music.

As in opera, voices that will participate singly or in groups at religious ceremonies are selected for specific ranges and pitches, depending on the role that voice will play in the ceremony.

"Sometimes voices are selected because they go well with bells; others are chosen because they can carry well above the sound of certain drums that are used," said Selam. His grandfather, Frank Sohapp, was a well-known tribal singer, as is his mother, Lena Sohapp Selam, who Selam said "sings as well as Beverly Sills."

Selam laments that Indian music is becoming lost.

"At the pow-wows all the music is mixed. Many of the young people don't know what they are singing — or why. They are not being taught the meaning behind many of the old songs," he said.

Pow-wows, he said, have replaced the long winter events of the past when, with hunting done and tribes settled, stories would be told, songs sung, games played and dramas presented.

At some modern pow-wows there are singing competitions, with individual singers or groups vying for prizes.

Favorite singers make the rounds of pow-wows and some of them are as well known to tribes as John Denver is to the general public.

Some have recorded. Selam has written some of the "cover notes" for their records.

A little-known fact about tribal mu-

sic is that new songs are composed every day and are introduced at pow-wows. The songs are composed "in the mind," as Selam put it, and memorized.

Singers sing them at pow-wows, others memorize them and another "hit" is born.

One of the compositions he wrote was inspired when his truck became mired in mud, Selam said.

"I listened to the sound the motor

was making as I was trying to get the truck free and the song came to me," he said.

He sat on a chair, beating his grandfather's drum, singing his song. The whirring of the wheels trying to free themselves from the mud came clearly across.

Selam stopped. He grinned widely.

"I call it 'The Truck Stuck in the Mud Song,'" he said.



LIVING HERITAGE — Leroy Selam performs one of the pieces from his vast repertoire of American Indian mu-

sic. He has made it his mission to preserve on tape the songs and chants of tribes all across the continent.

SEP 20 1976

Trailers seemed a good deal, leave Indian families cold

By STEVE JOHNSON
Minneapolis Star Staff Writer

Two years ago, Mary Brooks, 28, and a number of other Indians on Minnesota reservations got free trailers to live in from the federal government.

It seemed like a good deal then, since housing on the reservations was in a pretty short supply.

Now, Mrs. Brooks's trailer on a reservation near Shakopee and those of some of the other Indians are falling apart. She and Bureau of Indian Affairs (BIA) officials think their acquisition may have been a mistake.

ABOUT 200 TRAILERS were given by the federal government to Indians in Wisconsin, Michigan and Minnesota, said Clemm Evans, BIA housing development officer in Minneapolis.

The trailers originally were used in the eastern and southern part of the country as disaster relief homes. Many have thin walls and poor insulation, and "were not built for the cold weather here," Evans said.

But few people, including BIA officials, realized at the time just how inadequate the trailers were, he said.

Evans said he doesn't know how many of the trailers now are being used in the state, or how many are in bad condition. Mrs. Brooks has one of the worst, he said, adding that some people have refurbished the trailers and made them very livable.

THE PIPES FROZE and broke on Mrs. Brooks' trailer the first winter she and her son, now 17 months old, lived in it. Because of the poor insulation, it was too cold in the trailer even with the gas heater and they had to live with relatives, she said.

She got the pipes fixed but they broke again. The water heater and toilet also don't work. Because she is on welfare, she said, she doesn't have enough money to repair the trailer or move.

Ten of the trailers went to families in the Shakopee Mdewakanton Sioux community where Mrs. Brooks lives.

Sue Totenhagen, 23, who lives in the community in one of the relief trailers with her family, said their trailer's pipes also froze. She said it is "deteriorating fast."

"**LAST WINTER** we had to move out because the baby got sick," she said. "It was cold in here all the time."

She said the trailer was so flimsy that "one day the wind blew the wall in." She said sometimes when the wind blows hard "we get out of here. We're afraid it will tip over."

Evans said the BIA never promoted the acquisition of the trailers but merely aided Indians in arranging to get them. Now, he said, the BIA recommends against the trailers although some Indians still ask for them. "It's turned out to be not such a good deal," he said.

NORMAN CROOKS, the Shakopee Sioux community chairman, said that although the trailers were free, the community had to pay about \$14,000 out of its yearly federal assistance allocation to transport the vehicles from the east to Minnesota. Evans said the cost of transporting the trailers to Minnesota averaged \$1,500 apiece.

"We knew they were inadequate but they were made just for temporary housing," Crooks said. He said the reason some trailers may have deteriorated so fast is

that their occupants maintained them poorly.

Mrs. Brooks has been trying for several months to get a loan from the BIA. The agency has held up her application because she has no collateral. Evans said he hopes Mrs. Brooks' loan can be approved soon, but Mrs. Brooks said, "They've been telling me that for a couple of months now."

She is worried about where she and her son will live this winter. "Pretty soon it's going to be too cold, and I don't know what I'll do."

Indians picket white rights group

By JOEL M. PEASE
Of The Gazette Staff

WOLF POINT — Heated debates and demonstrations marked the meeting of the Montanans Opposing Discrimination (MOD) here Monday night, as speakers discussed issues involving Indian tribes in the area.

Over 200 people crowded into the meeting as a group of Indian students, singing traditional songs and carrying pickets outside the building, expressed a distrust for the organization.

The speakers, who included Jack Freeman, president of the Interstate Congress for Civil Rights and Responsibilities, pointed to some of the legal problems on or near Indian reservations, such as criminal jurisdiction, property rights and tax shortages.

Freeman and Lloyd Ingraham, MOD lawyer in Lake County, attacked Congress and the Department of Interior, warning Indian tribes to beware the powers of the government.

But Assiniboin-Sioux tribal members in attendance were unmoved by the warning, and

expressed more concern over the land and water rights issues.

Caleb Shields, member of the tribal executive board, asked Freeman what the Interstate Congress was doing about the Poplar River Project in northeastern Montana.

The project, according to Shields, is bypassing Indian water rights and will affect the quality of life for all of eastern Montana. It was noted that Norman Hollow, chairman of the tribal executive board, was not allowed to attend a meeting in Washington concerning the project.

Freeman replied that the Interstate Congress is not involved in the project, because they are concerned with individual rights, not group rights.

His speech had begun with a discussion of the criminal jurisdiction problem. He said he had no objection to appearing in a tribal court, but objected to being tried by a government in which he had no say. The interstate congress, he said, tried unsuccessfully to solve this problem in South Dakota.

The president said these and other situa-

tions must be solved by Congress, but added that the legislators show little cooperation.

Ingraham also attacked the federal government, and spoke out against the policy of self-determination for Indian tribes.

He said the policy "is causing disruption, polarization and hard feelings among people, and it only extends the paternal policy of the Bureau of Indian Affairs and the Interior Department because all tribal policy must be approved by them."

The attorney also spoke of the added burden being placed on cities and towns due to the recent ruling that some Indians are exempt from personal property tax.

Ingraham defended MOD, saying it is "not radical, not John Birch, not red-neck bigot, but is concerned that bureaucrats will take us in finding solutions to the problems."

Carson Boyd, Assiniboin-Sioux tribal member, charged the group with trying to deceive the people. "All they do is talk. They never get to the point," he said. "They want something they can't get from the Indians legally. We don't trust them."

Indians fight eviction from Canyon homes

Associated Press

GRAND CANYON — Three Havasupai Indian families appealed to Washington on Monday for the right to stay in their Grand Canyon National Park camp.

The National Park Service has ordered park concessionaire Fred Harvey to tell the Indians to be out of their homes by Oct. 1, according to Tribal Chairman Clark C. Jack Jr.

"They're not hurting anything," Jack said. "They just want to stay where they've been living all these years."

Roger Giddings, a park spokesman, said, "Those people are employed by one of the concessionaires in the park. Due to the deplorable state of the structures, we've requested that other residences for them be found."

Arizona Republic

SEP 21 1976

Jack said Park Superintendent Merle E. Stitt ordered the move to avoid maintaining "segregated housing. He said the Havasupai Tribal Council has appealed to the director of the National Park Service and Arizona's congressional delegation.

Jack asked for a year "to try and make some better arrangement than summarily throwing them out."

The Havasupai residence camp, two miles west of Grand Canyon village, "is the sole remainder of many Havasupai camps once scattered along the Grand Canyon's South Rim prior to establishment of a national park there," Jack said.

Many of the occupants have lived in the "simple cabins without running water most of their lives," he said.

Giddings said, "There are no utilities out there, except for one little building that has electricity. If I'm not mistaken, an extension cord is run to the houses. There are no adequate sewerage facilities.

"It is our interest to rid the park of what might be considered a very undesirable housing arrangement."

Some of the buildings will be destroyed, Giddings added.

"But the concessionaire has made arrangements for them (the Indian families) to move to other residences here in Grand Canyon Village.

"They will move as other housing becomes available. Housing is a very critical concern in the canyon. We just don't have a lot of available housing."

U.S. drafting rule on Indian share of CAP

Republic Bureau

WASHINGTON — The U.S. Bureau of Reclamation said Thursday that a final rule on allocation of Central Arizona Project water to Arizona's Indians is currently being drafted.

A spokesman said Interior Secretary Thomas Kleppe has reached a decision on allocations,

and that the proposed rule will be published soon in the Federal Register.

Thereafter, a certain time will be allowed for public comments before the rule is made final.

Kleppe announced on Sept. 3 that he had authorized publication of the allocations notice for the \$1.6 billion water development project. At that time he said this would clear the way for the CAP.

"This matter has been kicked back and forth for the last three years, and although we did not satisfy all demands of everyone concerned, we will be getting more water into Arizona in quantities they haven't had before," he said.

He said he had met with all interested parties on an individual basis and had carefully studied all the issues.

"The bottom line in this decision is that we are going to get water to Arizona in the fairest and most practical way," he said.

The only change Kleppe made in proposed rules announced on April 21, 1975, was the inclusion of 4,300 acre-feet of water for the Fort McDowell Indian Reservation.

Under the 1975 allocation rule, announced by then-Secretary Rogers C. B. Morton, irrigation water was included for four reservations in the CAP area — Ak-Chin, Gila River, Salt River and Papago.

The Fort McDowell reservation was left out by Morton because it was at the time considered to have an adequate supply of surface water for farm irrigation.

Since then, the central Arizona tribes have insisted that they should have far more water than what the proposed allocation stipulates.

They have gained the introduction of a bill by Sen. Edward Kennedy, D-Mass., which would authorize the purchase of water rights from non-Indians for transfer to the tribes. Under the Kennedy plan, they would get most of the water from CAP. The priority for water rights purchases would be the Wellton-Mohawk irrigation district. Those lands would go out of production as water rights were turned over to the tribes.

A report that Kleppe was withholding publication of the final rule until he got answers to questions raised about the allocations proved erroneous.

Evidently, confusion arose because procedure requires that Kleppe receive written comments from the public and consider them before finalizing the rule.

Navajo livestock cutbacks on schedule at White Cone

WHITE CONE — The Bureau of Indian Affairs' livestock reduction program in the White Cone area is proceeding on schedule, BIA officials said Monday.

So far in the five-month-old program, 44,000 of the 120,000 Navajo-owned sheep units in the area have been removed, said Bill Collier, program officer for the Joint-Use Administration Office in Flagstaff.

Collier defined a sheep unit as one sheep or goat, one-fourth of a cow or one-fifth of a horse.

The program in the White Cone area ultimately seeks to reduce the Navajo-owned sheep unit level to 8,000, one-half of the area's grazing capacity.

White Cone is in the 1.8 million acre joint-use area, which surrounds the Hopi Reservation but lies within the larger Navajo Reservation. Both tribes claim the land. U.S. District Court Judge James Walsh of Tucson is expected to draw up a partition plan within a few weeks that will give each tribe half the land.

The area is currently occupied by Navajos and their livestock. Recent BIA studies indicate that the Navajos have been overgrazing the area for years.

In 1972 Walsh ordered that the number of Navajo livestock in the area be reduced to one-half of the land's carrying capacity, but it was not until early this year that the BIA established a program to bring about this stock reduction.

Since April, Navajos in the disputed area have been bringing their livestock, mostly sheep, to

White Cone, where they are receiving the full market value of their stock plus a 50 per cent bonus as an incentive.

Collier said that the Navajos have been cooperative and that there has been no need to impound any livestock.

The number of sheep units in the White Cone area is relatively small compared with other com-

munities in the joint-use area, he said. When the program concentrates on the heavily grazed Jeddito

area near White Cone sometime next year, impoundment may become necessary, he said.

SEP 13 1976

Indians have found a Mecca in Minneapolis

By ELIZABETH WHEELER

(North American Indians, the original ethnic group in today's society, has suffered its own brand of indignities as a minority group. But they have been demanding recognition, and through efforts have been establishing their right to their own culture, their own style of living and their own property, from New York state to New Mexico and Arizona. The following is perhaps the best example of the Indian urban effort).

MINNEAPOLIS — Elaine Sullivan, 20, moved here last year from northern Minnesota. She found a place to live in the neighborhood surrounding Franklin Avenue, one of the least attractive parts of a city with a reputation for gracious living.

There are a number of reasons why Miss Sullivan chose that neighborhood, perhaps the most significant being that she is a Chippewa Indian. "I'm not a full-blood," she says. "I suppose I'd have to write to the Bureau of Indian Affairs to find out how much Indian blood I do have."

Miss Sullivan, a dark and attractive young woman who favors blue jeans and turquoise jewelry, was born and reared in Leech Lake, one of the 10 Indian reservations in the state, and is one of many Indians to come here.

Franklin Avenue is an ugly street, but the Indian community here, and in the sister city, St.

Paul, has found its beauty. Still heavily populated with bars and liquor stores, Franklin Avenue has come a long way in the past decade, and even further from its early days as the residential area for railroad workers.

INDIAN CHURCHES AND Indian-owned businesses have appeared. A storefront now houses a tenant's union organized to protest the policies of area real estate dealers. And at the end of the street stands the new Native American Center — a focal point for the American Indian community of the Twin Cities.

Chippewa and Sioux are the dominant tribes of Minnesota and the majority of the Indians living in the Twin Cities are members of one or the other. But, says George Mitchell, a full-blooded Chippewa who dresses in the traditional garb of his people and wears his long hair in two braids, Indians from the East and Southwest can be found in the area.

"Minneapolis is kind of a Mecca for the Indian peoples," he says. "In terms of American cities, it is the lesser of many evils."

Mitchell is a co-founder of the American Indian Movement (AIM) and works in an adult education program for Indians here.

One reason the Indian movement has proved more successful here is that the Indian population of 10,000 to 12,000 is concentrated around Franklin Avenue, and not lost in the sprawl as in Chicago or New York City.

ANOTHER REASON, SAYS Mitchell, "is that AIM started here," giving Indians a sense of pride and community. With AIM came a number of organizations designed to help Indians with legal problems, alcohol dependency or trouble adjusting to city life. A third reason may be the attitudes of the generally liberal population here.

"The people here have more empathy than sympathy," says Mitchell.

Now, this city is the home of perhaps the most beautiful and successful American Indian center in North America.

"The Native American Center," says Elaine

Sullivan, "is the most positive thing to come out of Minneapolis since AIM."

A low, flat building, the Native American Center suggests the culture of the people it was

designed to serve. The wood and concrete were left unfinished. The facade is the Chippewa Feather Design rendered in cedar planks. Inside is a museum displaying the works of Indian artists and a library which soon will house microfilm copies of all the treaties between the U.S. government and the Indians.

"It is such a beautiful building," says Sullivan. "It makes me feel beautiful."

The facility also serves as a center for the Indian community along Franklin Avenue. Recent city arrivals flock there for information on how to qualify for food stamps and other aid. An employment center offers day labor and counseling to help Indians get a regular job here.

An education department

helps prepare adults for the high school equivalency exam. Last year, 67 persons completed the program. Half of them, according to center director Jim O'Brien, are now enrolled in college or vocational schools.

Some in-house courses cater to the special interest of new city dwellers. One such course helps Indians, who were accustomed to living closer to the earth, plan nutritionally sound meals from grocery store food. Other courses are of general interest. This fall, many non-Indians will probably sign up for a course in understanding the metric system.

Another important service available at the Native American Center is treatment for alcohol or drug dependence. Also, special pow-wows and occasional hot meals are offered

for the neighborhood's elderly.

The center is a social beehive. Area residents jam the gymnasium every Sunday and Wednesday night when the basketball hoops are raised and the bingo tables set up. American Indian leagues have softball tournaments and performances are offered in an outdoor amphitheater. Tourists, too, are directed to the center by the Chamber of Commerce



(cont'd)

here. Staff members conduct tours and answer questions about native American culture.

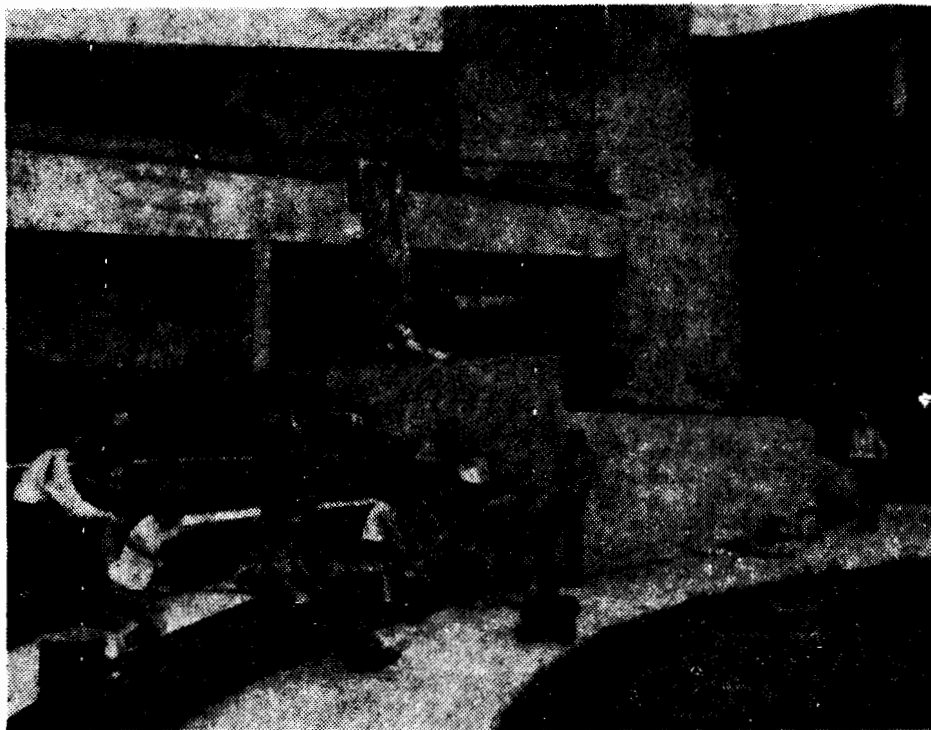
Important as it is, the Native American Center is only one manifestation of the success of the Twin Cities' Indian community. Area radio stations broadcast special interest Indian news daily. Some broadcasts feature lectures on Indian culture and music.

The Minneapolis Institute of Art is displaying pictures and relics of the Arapaho Ghost Dance. Area schools offer extension courses in Indian languages.

The Twin Cities is the home of two Indian survival schools. The best known, the Little Red Schoolhouse in St. Paul, has had good luck interesting "problem learners" in education.

In effect, the native American population of the Twin Cities has become as much a part of the culture as the Swedes of Minneapolis.

Says George Mitchell, "I was constantly frustrated when I was trying to be a white man. I am proud of my Indian dress. I'd rather see this country become a rainbow culture. I'd like for us to be able to see different peoples and their different ways."



Spectators and performers wait for a show to begin in the amphitheater outside the Native American Center in

Minneapolis. A part of the facade is the Chippewa Feather Design rendered in cedar panels for the amphitheater.

SEP 9 1976



Republic photo

The Hopi Cultural Center includes tours and lectures designed to show the Hopi life-style.

Hopis' guided tours offer glimpse of Indian culture

By JANA BOMMERSBACH

SECOND MESA — The philosophy of the Hopi businessman and newspaper editor was clear: "If Anglos don't come in and run over us like a herd of cattle, we will have our culture here for them to see."

It's a philosophy Wayne Sekaquaptewa subscribes to as a Hopi who has lived all his life on the mesas of northern Arizona, as the editor-publisher

of the only newspaper on the reservation, and as one of three partners in the Hopi Cultural Center east of Tuba City.

The center—including a motel, restaurant, museum, shops and craftsmen at work—is near Hotevilla on Arizona 264.

Sekaquaptewa said the Hopis have opened up their front yards to visitors — "and if that works, we might let you in the living room."

To help with that plan, the center offers guided bus tours of the reservation on Monday through Saturday.

The tour, costing \$12.50 per person, includes a meal, lecture on Hopi culture, walk-through of a village and a visit to a private home, he said.

"You'll find the people are nice and friendly," said Perry Honani, another partner in the center.

If an all-day tour doesn't fit into vacation plans, there are nightly lectures

for \$2 per person at the motel. This includes a slide presentation on the culture and ceremonies of the Hopis, Honani said.

The motel (part of the complex designed by Benny Gonzales Associates) has 33 rooms, most with double beds, and costs \$17 a night for a single, \$19.50 for a double, or \$23 for three persons, Honani said.

The complex is privately owned, he explained, with a lease from the Tribal Council.

"The tribal government promotes private business on the reservation, rather than having everything as a tribal business," Sekaquaptewa said. "The philosophy of commerce is not alien to the pueblo people. We have traded and bartered for centuries

from California to Mexico, from the snow line to the jungles."

The businessmen are obviously proud of their center, and boast that it is a model for Indian tourist projects around the nation.

"Other tribes are coming here to study how we've done it," Sekaquaptewa said.

And a view at what's to come shows they've only just begun.

Excavation is 10 per cent complete on Awatovi, once the largest village on the reservation. The settlement was destroyed by other villagers about 1700.

"The other villages conspired to destroy Awatovi to prevent the Spanish

from coming back onto the reservation," Sekaquaptewa said. "They killed the men and divided the women and children among themselves."

He said the Smithsonian Institution has been doing the excavating, and the tribe expects the project to "yield a tremendous treasure."

"There are 50 ruins within a 50-mile radius of the cultural center," Sekaquaptewa said. "We eventually expect to provide tours of all the ruins."

Look for guided tours of Awatovi in about five years, he said.

He also hopes to expand the cultural center, which already has enough interesting things to occupy an entire day.

The museum includes displays on the history of the Hopis, plus well-preserved examples of their pottery, silversmithing, baskets, paintings and Kachina carvings.

The two shops are filled with Hopi art and crafts for sale. The shops are operated by the Hopi Silvercraft Cooperative Guild.

One route to reach the cultural center is to go through Flagstaff, turning east on U.S. 160 to Tuba City and then following Arizona No. 264 to the southeast. Along the way is a hidden treasure that shouldn't be missed.

Coal Canyon can hardly be seen as you travel down 264 (except as a glimpse in the rearview mirror), but is a splendid sight worth a stop or picnic break.

The clue is to watch for the only windmill on the north side of the road, and drive toward it on the dirt road off the highway. A picnic ramada is near the edge of the canyon.

Tourists should remember when they are on the Hopi Reservation that they are visiting a nation and a culture very different from that in Phoenix.

SEP 12 1976

Dam Built For Farming, Not For Fish

San Carlos Fish Don't Survive

By PETE COWGILL

The Arizona Daily Star

Why could not the fish be saved?

That is the question Arizonans are asking as a result of a massive kill of largemouth bass, crappie, catfish and other species of fish beginning last weekend at San Carlos Lake.

The best bass fishery in the state is now "dead." And according to estimates by the Arizona Game and Fish Dept. it will be 1978 before the state's fishermen can expect to catch any fish above fingerling size.

The direct cause of the fish kill was the draw down of the water in the lake to near the dead storage level. Too many fish in too hot water with not enough oxygen and food produced the kill.

This was not the first time the lake had been drawn down to dead storage. From 1946

The San Carlos Apache Tribe has closed all dirt roads leading to San Carlos Lake. Dead and dying fish are creating a public health hazard. The paved road from Peridot over Coolidge Dam to Bylas is open.

through 1971 the lake has been "empty" 11 times. But it was not until 1971 that much of a hue and cry was heard from sport fishermen concerned about the dieoff of fish.

The 1971 fish kill was predicted by the G&F and it happened in mid-July. Not all fish died and in a couple of years the reservoir bounced back to produce lots of lunker bass, crappie and catfish.

This year's kill was also predicted by the G&F. All limits of bass and catfish were removed July 1 and hundreds of fishermen brought home ice chests crammed with fillets.

But nothing was done to prevent a kill which would wipe out fishing for up to two years. Why?

The water in San Carlos Lake belongs to downstream farmers who wanted to use all of the available water for agricultural purposes. The farmers did not want to leave any water above dead storage in the reservoir.

This water rights and use story is long and complex. In prehistoric times the Gila River flowed year-round through Arizona to its confluence with the Colorado River north of what is now Yuma. The Indians who lived along the Gila River did some irrigated farming; their system of canals is displayed at sites like Snaketown which was excavated by Emil Haury of the University of Arizona.

As early as 1868 diversions of the Gila River were made by nonIndian farmers in the Florence area. Picacho Reservoir was built in 1889 by Casa Grande area farmers. In 1916 the Ashurst-Hayden Diversion Dam was authorized on the Gila River upstream from Florence to provide irrigation water for 62,000 acres of land. World War I came along and the dam was not completed until 1922.

Two years later Congress authorized the San Carlos Project. A high dam with a reservoir of 1.2 million acre-feet capacity would store water which would be used to irrigate 100,000 acres of land in the Florence-Coolidge-Casa Grande area. Half of the acreage would be on the Gila River Indian Reservation and the other half would be on private and public lands outside the reservation.

Construction started in 1927 and the first water was released from the dam in 1929.

Original construction costs through 1931 were \$9,556,313. To date total costs for irrigation and power construction are \$23,564,878. And to date the total amount made in repayment by the nonIndian farmers is \$1,235,943.

A federal Claims Court in 1974 decreed that the Indian farmers need not make any payment for construction, operation and maintenance. Their water is now free, and payments made by them in the past may have to be reimbursed by the federal taxpayers.

Coolidge Dam was designed based upon flow records of the Gila River from 1895-1916. The average flow would irrigate 80,000 acres of land. Return flow and underground pumping would irrigate an additional 20,000 acres. An average annual diversion of 320,000 acre-feet of water from the reservoir was planned.

The average annual diversion from the dam from 1930-1975 has been 203,097 acre-feet. The reservoir has never been full. In 1942 it reached 819,040 acre-feet and in 1973 a total of 843,100 acre-feet was recorded.

Originally, the construction repayment schedule was set for 20 years. But because of a lack of water, few payments were made. In 1945 the Secretary of the Interior changed the repayment schedule to one based upon the amount of water in the reservoir as of March 1 each year.

On March 1, 1975, there were 251,100 acre-feet of water in the lake. By Dec. 31 of this year the nonIndian water users must pay \$1 per acre or \$50,000. Some years the payment has been as low as 25 cents per acre of land, and it can reach as high as \$2.50 per acre.

The March 1 date was selected because by then estimates can be made on how much runoff will come into the reservoir, and farmers can plan the amount and kinds of crops they will plant.

In 1975 a total of 58,444 acres of land was irrigated. NonIndian farmers planted 36,467

acres, one-third of which was cotton. Other major crops were wheat, barley, alfalfa, safflower and maize. The average crop value per acre was \$431 and the total market value of all crops was \$15.3 million.

Indian farmers planted 21,977 acres. The five major crops were wheat, cotton, beets, barley, and alfalfa. The crop value per acre was \$342 and the total market value of all crops was \$7.3 million.

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Water to nonIndian farmers is distributed by the San Carlos Irrigation and Drainage District, a quasi-state governmental body. Water to Indian farmers is distributed by the Pima Agency, Bureau of Indian Affairs. The operation and maintenance of the joint facilities including the dam is by the San Carlos Project, U.S. Department of the Interior.

"Coolidge Dam is not a multi-purpose dam," said C. L. Skousen, president of the board of directors of the SCI&DD. "Together with the Indians we have the right to use the water. We cannot sacrifice our crops and leave water for fish."

Superintendent of the Pima Agency is Kendall Cumming. "The water in the lake is vital to the economic well-being of the Gila River Indian Tribe," he said. "All of the water is needed for crops."

Following the 1971 fish kill The Tucson Rod



Thousands Die — Tiny shad and larger bass, crappie and catfish litter the surface of San Carlos Lake down near the dam as low water kills the fish.

and Gun Club attempted to get a 10,000 acre-foot pool established at the lake. At this level there would be no fish kill. The club has contacted both Indian and nonIndian water users without success. Congressman Morris K. Udall was contacted but the lake is in the district of Cong. John Conlan.

Similar feelers were put out by personnel of the G&F, all without success.

"I plan to write to the Secretary of the Interior," said G&F director Robert Jantzen, "enclosing pictures of the low level of the lake and the fish kill. I don't know what he can do about establishing a conservation pool, but this will have to be first approach. If this effort fails we may have to work through the Congressional delegation to get the law changed."

Jantzen does not believe there is a total fish kill. "The 1971 kill was more potentially disastrous as it happened in mid-summer when air and water temperatures were hotter than they are now. Fish survived and in the last few years the lake has produced a bumper crop of bass, crappie and catfish for the state's fishermen.

"What we are now hoping for is flow into the reservoir from late summer, fall and winter rains.

"But there is nothing we can do to prevent another tragic fish kill in the future."

SEP 5 1976

Legends, History Join Together In Radiant Taos, New Mexico

By RUTH W. ARMSTRONG
Special to The Herald

TAOS, New Mexico — If you see the flag flying over Taos, New Mexico, plaza at night, don't think they're being careless. Taos is one of the few places in the United States that has permission to fly the flag past sundown. It dates back to the beginning of the Civil War when southern sympathizers kept removing the Union flag. Kit Carson and several other Taos frontiersmen went to the mountains and cut the tallest pine tree they could find, nailed the flag to it, and planted it in the plaza.

Then, to be sure no one climbed the tree at night and removed Old Glory, they took turns standing guard on the roof tops of buildings around the plaza. They were all sharpshooters, so there was no more trouble. From that episode Taos was granted special permission to fly the flag twenty-four hours a day.

Taos is different from any other place in a hundred ways. It glows with a physical radiance, white sunlight and lavender shadows, blue distance and golden earth. The quality of its light has drawn artists since 1912 when Blumenschein, Phillips, Ufer, Higgins, Dunton, Berninghaus, Sharp and Couse formed the Taos Society of Artists. These men are gone now, but their names are still recognized in the art world.

THE MAGIC of Taos has been felt by D. H. Lawrence and thousands of other creative people. Whether the mystery lies in the radiant light, the legends, history, its foreignness, or as some spiritualists believe, in the magnetism that comes up out of the earth there, it's a place to visit if you want long memories.

Summer is hectic. No town of 15,000 can accommodate 100,000 visitors without showing the strain. Streets are crowded, stores are jammed, it's hard to get a motel reservation, restaurants have waiting lines, but if that's the only time you can go, it's better than not at all. Even in summer there are quiet, shady patios, cool galleries, crisp nights and mountains all around.

Taos was settled in the early 1600s, and like all early towns in New Mexico, was close to an Indian pueblo. The reservation now adjoins the city limits. Though probably the most famous of the nine-

teen New Mexico pueblos, most photographed, subject of most movies, books and articles, it remains conservative, not even permitting electricity within the old part of the pueblo.

CENTURIES AGO most pueblos were from three to five stories high, like so many building blocks stacked stair-step fashion, with ladders protruding from roofs. Taos is the only pueblo left that still has an original five-story building.

Taos Pueblo was the place where fierce Plains Indians met the peaceful Pueblo Indians on neutral ground. Twice a year throughout the 1700s and 1800s the nomads from the plains came to Taos to trade buffalo skins for agricultural products and crafts made by the Pueblo Indians and Spaniards. When French and American mountaineer men began to trap beavers in the Rocky Mountains in the 1800s they, too, came to Taos to trade with the Indians and Spaniards.

Through those years of contact the Taos Indians acquired traits and characteristics, even physical resemblances, to the Plains Indians. For example, the braided hair, the making and using of beaded leather objects, and some even have the thin faces and aquiline noses of the Plains Indians.

TAOS PUEBLO is open to visitors, and there is a camera fee, depending on the size of the camera. Some areas are off limits, however. The biggest celebration of the year is the Fiesta of San Geronimo on September 29 and 30. Others are January 1 and 6, May 3, June 24, July 25 and 26, and December 24 and 25. Photography is not permitted at ceremonial dances.

The Millicent Rogers Memorial Museum, a mile northwest of the main part of town, has a fine collection of Indian and other historic artifacts. The house itself is a prime example of traditional pueblo style architecture. One room has a floor made by the old 'earth and ox blood' method.

Taos is a banquet of art that overwhelms the eye and the soul. Everywhere are galleries exhibiting knowns and unknowns, traditionalists and modernists, living and dead artists.

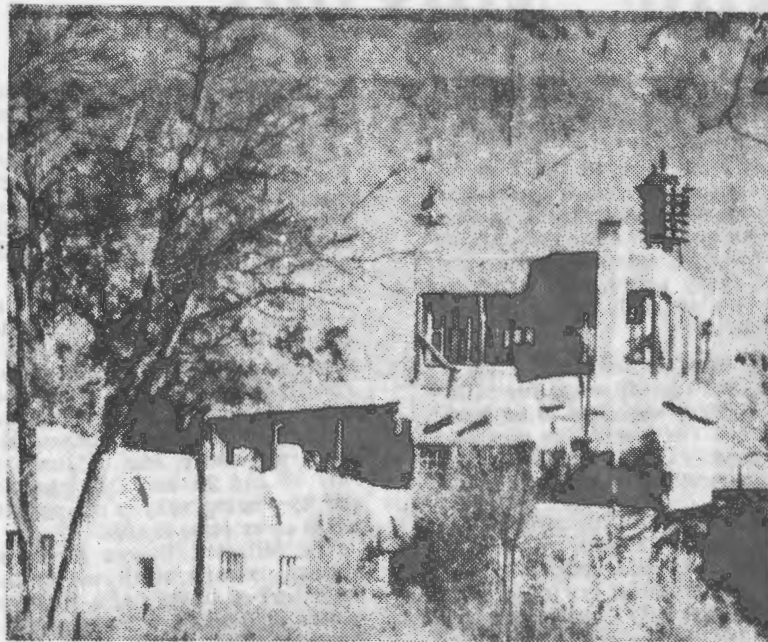
THE FAMOUS soldier and scout, Kit Carson, lived in Taos with his Spanish wife during his later years, and his home is now an interesting museum. The cemetery where he and his wife are buried is part of the Kit Carson State Park on the main street of Taos.

Governor Bent Museum preserves the historic home where the first American Governor of New Mexico was murdered in 1847 a few months after the American occupation.

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Mabel Dodge Lujan, daughter of the automobile family, wrote an exciting chapter in the history of Taos. It was she who encouraged D. H. Lawrence and several other writers and artists to come to Taos in the 1920s and '30s. She married Tony Lujan, a Taos Indian. According to contemporaries he was probably the only man ever able to tolerate her unpredictable, demanding nature for two reasons — they truly loved each other, and he always remained slightly aloof.

HE ENTERED into her world to some degree, but he never left his Indian world. She built a huge rambling adobe home on the edge



— Ruth W. Armstrong

The Old Mabel Dodge Lujan House ... where writers and authors gathered

of the reservation where friends, artists, writers, people from the Pueblo, and many people of note came and went.

In recent years the house has been a "hippie hangout," apartments, and a few years ago movie actor Dennis Hopper bought it and considers it his home. It looks run-down and almost abandoned, and there are rumors that the Taos Indians claim part of it is on their reservation.

Mabel Dodge Lujan gave the Lawrences a mountain ranch a few miles north of Taos where they lived and quarrelled between trips to Mexico, Italy, England and France. The cool beauty of the ranch seemed to give Lawrence a tranquility he didn't always feel

other places. After he died in France in 1930 his widow, Frieda, brought his ashes back to the ranch and built a small shrine to his memory. She and her Italian husband built another home there and lived in it for more than twenty years.

SHE IS buried just outside the shrine. Mabel Dodge Lujan is buried in the Kit Carson cemetery in town. Frieda willed the Lawrence ranch to the University of New Mexico, and occasionally creative writing and philosophy seminars are held there in the summer. It is open to the public to visit. The tiny cabin built for English artist, Dorothy Brett, is also there, a few steps from the Lawrence home. Brett, in her eighties, still lives and paints in Taos.

Taos Ski Valley, the most challenging of the eleven ski areas in the state, is twenty miles north of town. Fine restaurants, condominiums, and all rental facilities are available there.

THE CHURCH at Ranchos de Taos on the south edge of town, though not the oldest in New Mexico by more than a hundred years (built in 1722) is probably the best known and most photographed because it is a classic of early pueblo mission architecture. The painting of Christ Inside is luminous and in the dark shows a cross that cannot be seen in daylight.

The Rio Grande runs a few miles west of Taos through a deep and spectacular gorge on a volcanic plateau. Some of the best fishing in the state is on this part of the upper Rio Grande. North of Taos to the Colorado border the Rio Grande is classified as a "wild river," the first to be so designated. Taos is rimmed on the other three sides by Carson National Forest, and there are small, picturesque Spanish villages in almost every valley and canyon.

SEP 13 1976

'Progress' overtakes the Navajos

Black Mesa, Ariz., and Nenahnezad, N.M., are two remote places on the Navajo Reservation that time almost forgot. For hundreds of years Navajo herdsmen lived the same life from generation to generation, following their animals through the seasons, rarely glimpsing the outside world.

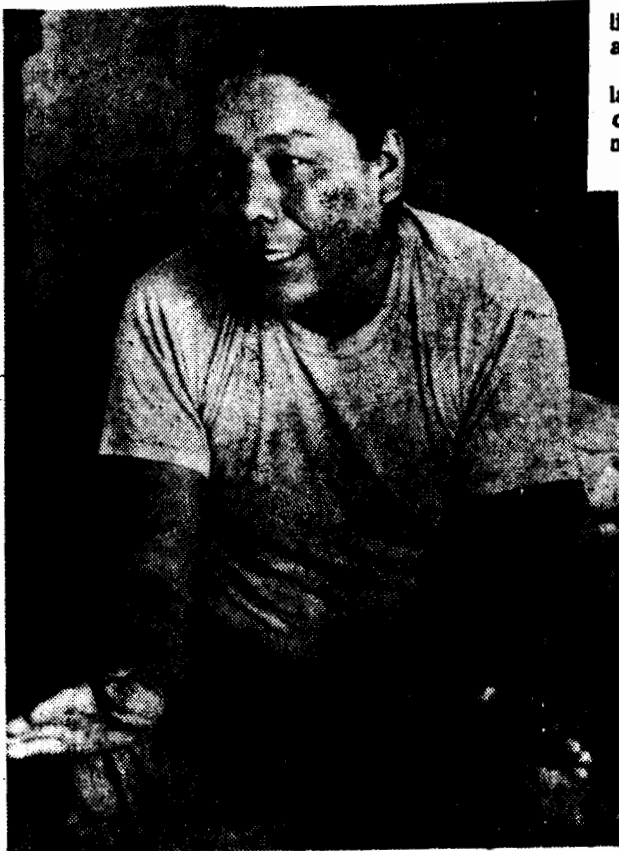
The Indians living in their wilderness sanctuaries liked it that way. They never bothered to learn English and kept to their traditional Navajo religion and culture. Life could have gone on that way forever—until geologists discovered hundreds of millions of tons of valuable coal under their land.

Several years ago coal shovels moved in to the pinyon aerie of Black Mesa and, 75 miles east, to the gentle meadowlands of Nenahnezad. Power plants with smokestacks rose out of the ground, and rail spurs and power lines cut through the landscape, which was slowly gouged up and carried away in monstrous coal trucks.

Coal mining has been a welcome windfall for the financially pinched Navajo tribe, and hundreds of unskilled Navajos are now making comfortable livings working in the mines.

But such progress means nothing to the shepherds who were content with life the way it was. Their once insulated world has been violated and irreparably damaged, and they are bitter.

With 20 per cent of the nation's known coal reserves sitting under Indian land, the scene is being repeated over and over on reservations across the country. Inevitable as it is, the process is painful for those caught in the middle.



Andrew Benally, 38, had to give up being a shepherd when coal was discovered on the Navajo reservation and his tribe decided to lease the land for mining. Now he has a job with the Peabody Coal Co. "I'm used to both ways—and like them both," he says.

cont'd



"They don't take care about our land. They don't take care of our things. They just take our money and pack it full in their billfolds," says Emma Yazzie, who weeps over the changes in her life since mining leveled a high hill on her tribe's reservation near Nenahnezad, N. M., 16 years ago. She is also angry about the smoke from the power plant nearby, saying it is blinding one of her remaining horses.

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The U. S. Indian: Striving to be what he is

By William Mullen

Chicago Tribune Press Service

FRANK'S LANDING, Wash.—Old Billy Frank, the man for whom this little settlement is named, sat back in an easy chair in his daughter's home early this summer and talked about his life.

White-haired and gnarled at 98, Billy Frank had four generations of his family around him, and they fell silent and looked on lovingly as he told his story.

He could have been the proud patriarch of any American family except for one important difference. As a Nisqually, he is the head of an American Indian family, one that is not totally convinced of its place in society.

Billy Frank has lived near white men all of his life. It hasn't been a joyous experience.

WHITE MEN took away the reservation land where he was reared, and he was beaten by white teachers as a child in an Indian boarding school for speaking his native tongue.

The State of Washington tried to stop Billy Frank from fishing the streams and rivers where his ancestors had always made their living. White men built cities out of Indian wilderness, and the pollution from the cities has killed off the fish population in much of the state.

"From the very first appearance of Europeans in North America, the Indians saw right away we were trying to make them like us so we could take away their way of life. So the Indians refused to be civilized," says Dr. Sol Tax, a University of Chicago anthropologist.

"Things haven't changed right up until now, 300 years later. The settlers are

The American Indian—1976

The most poorly housed and educated of all Americans, the Indians are at the bottom of the nation's economic order, and they fiercely protect their cultural and ethnic differences. For an in-depth study of Indian problems and prospects in 1976, the Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled for two months to a dozen states and reservations throughout the country. This is the first of a series of reports.

still warring on the Indians, if you think of Congress as being made up of the settlers.

"The Indians are just interested in staying where they are, protecting themselves."

IN ELOQUENTLY simple English, without bitterness, Billy Frank talked about his life with white men.

"On the Fourth of July, when I was a young man, the Nisqually used to invite other tribes here to celebrate.

"We put up two tables, 40 to 50 feet long. We used to have a big time—good times—here at the Nisqually."

There was no big July 4 celebration at Frank's Landing this year.

JUST BEFORE the Fourth, Billy Frank was arrested and detained illegally for selling fireworks on his land. He contends that he lives on protected Indian land that is not subject to the laws of

the State of Washington, so his sale of fireworks was legal.

It was not the first time the old Nisqually has been arrested. His son-in-law, Al Bridges, has been jailed 70 times in the last nine years for fighting to regain fishing rights he said the State of Washington has taken from him. Billy Frank has been arrested with Bridges on numerous occasions.

The closest thing to a July 4 Bicentennial observance within Billy Frank's family this year came from his granddaughter, Suzette Mills.

She and her husband, Sid, both in their early twenties, led a band of 300 Indians from many different tribes across the country on a four-month trek to Washington, D.C. There, on July 4, they marched, sang, chanted, and danced in front of the White House.

The procession, called the "Trail of

Self-Determination," was organized by Sid Mills to protest the condition of the American Indian in 1976.

A WEEK BEFORE the Fourth, Mills led his band to the Pennsylvania State Capitol in Harrisburg and addressed the legislature there.

"We're never, ever, ever going to be like the American people," Mills told a silent audience in the legislative hall. "We're a different people.

"The only way we can survive is with our treaty rights and by allowing us to develop by ourselves."

He accused the rest of the United States of making a mockery of its treaties with the Indians, of continuing its efforts to keep the Indians poor and under control, of trying to break up the tribes.

"Could the United States of America survive with 75-per-cent unemployment, like so many tribes have to do?" he demanded.

"WE'RE SICK and tired of being wards of the state. We're sick and tired of being called incompetent. We're sick and tired of being called savages because we're being killed every night on your television."

Throughout that trip across the U.S., right up to the front gates of the White House, Mills kept talking as if the American Indian were still at war with the U.S.

He might not be far from wrong.

It is a fact that the Indians are different from the rest of the Americans. And while the rest of the U.S. sometimes has trouble remembering that the Indians exist, the Indians haven't forgotten.

BILLY FRANK and his family tenaciously assert the legality of their treaty with the U.S. and the privileges of land and water rights that go with it. While they may not always speak in their Indian tongue anymore, or observe all the old religious and social traditions, they still think and act and work like Indians.

Billy Frank's family is no exception. Most of America's estimated 800,000 Indians feel the same way, conquered in body by a European society that swept over them, but still not conquered in spirit. They have refused to jump into the so-called American melting pot.

"You are dealing with a million scattered survivors," said Tax, who has devoted his professional life to the study of American Indians.

"I can't exaggerate the differences in Indian culture from ours.

"**MOST INDIANS** are non-economically oriented, while all we think of is the future. They just don't want to sacrifice the way of life of the small community where they enjoy their own system of values.

"They can't live competitively like a white man, because it's just not nice or fun according to their standard of values."

The price of being different is expensive for Indians and non-Indians alike.

This year the federal government alone will spend about \$1.5 billion on programs for the Indians, and it is a figure that grows with each passing year.

But despite these expenditures, life for the Indian more often than not means poverty unlike that found anywhere else in American society.

IN FACT, a trip to the Navajo Reservation, sprawling over 26,000 square miles of Arizona, New Mexico, and Utah, is like a trip into a foreign country. It is, at that, an underdeveloped country—within the borders of the world's most developed nation.

People dress differently, and many have never learned to speak English, preferring the Navajo tongue.

More important, they live out lives that often bear little resemblance to those of most Americans. They are shepherds, cattlemen, and horsemen who, with perhaps the exception of a pickup truck, still practice the trades their great-grandfathers did.

They are welfare recipients. They are hired hands for ranchers and farmers on the reservation. Some are coal min-

ers for big coal companies strip-mining the reservation.

BUT FEW are professionals. The exceptions are a small number of educated men and women working for the tribal government and the Bureau of Indian Affairs.

Very few Navajos are businessmen, with virtually no Navajo-owned businesses serving the 150,000 Indians living on the reservation.

Because the soil is so dry and sandy, there is enough land to support 50,000, but certainly not 150,000.

The Navajos live in a society where per capita income is \$900 and unemployment is upwards of 65-per-cent unemployment. They have a tribal average of a fifth-grade education, only 40 per cent of their homes have running water, and even fewer have electricity.

JUST LIKE a developing nation, the reservation is in the midst of a dangerous population explosion, with a birth rate twice that of the rest of the U. S. What makes it particularly explosive is that half the reservation is under the age of 18, so in the next 20 years the population is likely to skyrocket.

"We need more young people to come back here as doctors, lawyers, and private businessmen," said the late Wilbure Atcity, a brilliant young Navajo who worked as executive administrator to the tribal chairman before he was killed in a car accident several weeks ago.

Atcity, 33, was devoting his energies to building up an economic base on the reservation so the tribe's most talented young people wouldn't be forced to leave in search of work.

"The dollar doesn't even turn over once on the reservation," he said. "A guy gets paid for his livestock or from his job, and he immediately goes off the reservation to buy his food, clothing, and whatever."

THE PROBLEMS faced by the Navajos are not unique among Indians. It is representative of what is going on in most reservations. In turn, the reservation Indians are not much worse off than the roughly 350,000 Indians who live in America's cities and towns. The urban Indians only have a \$2,500-per-capita income, high unemployment, and a ninth-grade average education.

For many of the urban Indians, in fact, reservation life is beginning to look more attractive than the slums and crime with which they have to live in the cities.

Many experts are predicting a backward migration of Indians from the cities to their reservations, increasing the burden of unemployment and welfare there.

But, many experts believe, the return to the reservation may be a healthy sign.

"I THINK there's going to be a migration back because people want to rediscover themselves as Indians," said Morris Thompson, U.S. commissioner for Indian affairs.

"We support the trend of Indian people reasserting their pride in being Indian, and because of this, we should accelerate the educational opportunities for Indian children."

Sol Tax of the U. of C. agrees.

"I suspect that many Indians are trying to get an education as a defensive tool so that they can remain Indian," he said.

"**THEY STILL** consider themselves at war with the U.S., and they are rearming themselves right now. Only, instead of stocking up on carbines and ammunition, they are stocking up on college degrees and expertise so they can continue to hold us off and maintain their own culture."

"The federal government has made mistakes for 200 years in trying to deal with us," said a tribal official for the Miccosukee tribe in southern Florida.

"**NOW IT'S TIME** to let us try to solve our own problems. Just give us the money, and we'll find our own programs. It will take time, but we deserve the same amount of time that the BIA and all the other federal agencies have had, and we deserve the right to make our own mistakes."

Again, anthropologist Tax agrees.

"The Indians are here, and they are growing, and their culture is not disappearing," he said.

"They have a remarkable history of adaptability, surviving every effort of the U. S. to destroy them. Perhaps it is time we recognized them for what they are—something different from us and very special—and let them work out their own destinies."

Clearly the Indians are not satisfied with their treatment by the U. S. government, even—or especially—after 200 years. Instead of making the peace, many, including Billy Frank, believe government Indian policies have served

only to deepen the hostilities.

"I THINK the country is going haywire, he said. "I think we're all enemies, we all hate each other.

"Maybe people will wake up, but with all the guns and atom bombs, it looks like we're all going to end up blowing the world to pieces.

"Sometimes I think that might be the best way. All those pieces will float around for awhile, then it will come back together again, and we'll have the earth again just like it was a long time ago."

Tomorrow: Return to the reservation "homeland."

SEP 13 1976

Many Indians trade alien world for 'home'

By William Mullen

PAGE ONE

Chicago Tribune Press Service

NIXON, Nev.—Katie Frazier has spent most of her 84 years living in Reno, 40 miles from here, but she's back on the Paiute Indian reservation and couldn't be happier.

She is one of the few Paiutes who still remember some of the old religious dances and songs, and she's busily teaching them to the reservation's children.

Much has changed on the reservation, of course, since she lived there as a little girl.

"The festivals are almost gone," she said, "and the Indians don't have much doing any more.

"WE USED TO have a rabbit dance. No rabbits here any more. We used to go up in the hills and gather winter food and have a pine dance for a week, day and night."

New a lot of that is gone and nearly forgotten because the Paiute on the Pyramid Lake Reservation almost forgot how to be Indians.

"We missed it, us older people who knew the dances and ceremonies," Katie said. "We wanted it, but for a long time when we tried to do it some people here interfered and laughed and made fun of us."

Katie left the reservation as a child to attend Indian school, where she some-

times went hungry when her teachers caught her speaking the Paiute language.

BUT IT wasn't a bad school, she said, because she learned how to read and write better than children do today. When she finished and eventually married, she lived off the reservation because there were no jobs there.

And Katie Frazier always came back to visit, for she never forgot she was a

The American Indian—1976

Despite the evident poverty on Indian reservations, the Indians cling tenaciously to them and the treaties that created them. For these native Americans who lost their continent, the reservation is their only homeland. For an in-depth study of Indian problems and prospects in 1976, The Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled for two months to a dozen states and reservations throughout the country. This is the second of their reports.

Paiute.

"I remember when we came back here to visit, as soon as I hit the sign that said we were in the reservation, I could all of a sudden just feel the open space, and there was nobody there telling us what to do."

Now she is back for good in the open spaces where there is nobody telling her what to do.

AND SHE ISN'T alone in coming back. An increasing number of American Indians who have lived for years away from their reservations are now returning.

They include Indians of all ages and economic levels, ranging from those who simply couldn't make it in America's cities because of illiteracy right up to successful professionals who adjusted easily to non-Indian society.

To all of them, the reservation represents the "homeland" to which they return from an alien society.

Whether or not Indian songs, dancing, medicine men, and religion flourish on their respective reservations, they are returning to people they can understand.

THEY CAN understand working where there are no bosses, where people are led by example rather than being told what to do or having to tell others what to do.

They can understand people who do

not measure their status by how much money they make or how big a house they own.

They can understand living in small towns and villages where they know the grandparents, parents, children, and grandchildren of every inhabitant.

They can't understand the alienation and fear of living next to nameless strangers as so many Americans do.

RESERVATION LIFE means rural poverty—easily the most grinding in America—but it does have its advantages.

"In my time, a lot of us went off to colleges and schools to escape the poverty," said Alvin James, 40, also a Paiute on the Pyramid Lake Reservation.

"When we finished, we had to stay away because there were no jobs here to fit our educations."

James jumped at the chance to come back when a new tribal enterprise needed a business manager after he had worked for years for an Indian tribe in Montana and for the State of Nevada.

"WHAT'S SO GREAT about suburbs, crab grass, noise, and waiting in line for groceries?" he asked.

"There's a world of difference here. Here is home. There's a feeling for the land. Our ancestors were here for thousands of years."

The reservation is virtually the only world left to those Indians who want to remain Indian. The reservation has become, in fact, a sanctuary for a way of life the rest of the United States has lain siege to unsuccessfully for more than 300 years.

No matter that the per-capita income for reservation Indians is about \$1,500 annually, that availability of health care is sometimes abysmal, that the children often are quick to drop out of school, that seasonal unemployment sometimes hits 60 per cent and more.

THE IMPORTANT fact for the reservation Indian is that he is home, living among those who understand him.

"They have a culture we don't have," said Dr. Wallace Heath of Bellingham, Wash., "and it's worth more than money."

Heath is president of the American Indian Development Association, a non-profit organization providing assistance to eight widely scattered Indian tribes.

The Indian way of life is at once romantically appealing and self-defeating to the non-Indian point of view, he said.

"NO MATTER how bad things get financially for an Indian, the resources shared by his family will always get him through," he said.

"But family sharing makes it difficult for any Indian to become rich, to get ahead in life as most Americans strive to do. It's a matter of survival, especially on the economically depressed reservations."

The Indians are becoming increasingly adept at attracting funds from foundations and federal agencies for social and

economic development on the reservations. But it is doubtful that Indian standards of living on the reservations will ever pull abreast of the general American standard.

NONETHELESS, PRESERVING the reservations is all-important to Indians everywhere, who consider the idea of breaking them up a sacrilege.

"It sounds like such a cliché to keep saying to non-Indians, 'You took our land from us.' But without land we can't survive as Indians," said Peggy Barnett, a Laguna Pueblo Indian from New Mexico. A UCLA graduate, she has been working with the Miccosukee tribe on its Florida reservation as health director for two years.

"We don't have a homeland across the ocean, so the reservation, the land, is what makes us different from the other American minorities. Basically, we al-

ways come back to the idea that this land is ours, this language is ours, and this culture is ours, and if we give it up, we will cease to exist."

EVEN WHEN the federal government has dismantled the reservations, as it did with the Cherokee reservation in eastern Oklahoma in 1890, the tribes have remained more or less intact on those sites.

Clint Duncan, 58, lives on a disability pension with his wife in one of a row of dilapidated houses near Stilwell, Okla.

He thinks that if the reservation had remained intact, the Cherokee Indians would be more comfortable now.

"If there'd been a reservation, there might have been somebody to look after us now," he said.

INSTEAD, MOST Cherokees rely on seasonal work on other people's farms or work as chicken pluckers in poultry plants in nearby Arkansas.

But the Cherokees have remained in the area despite their economic depression, and they have clung to much of their culture even though they haven't had a reservation for 80 years. In fact, even different dialects of Cherokee have survived.

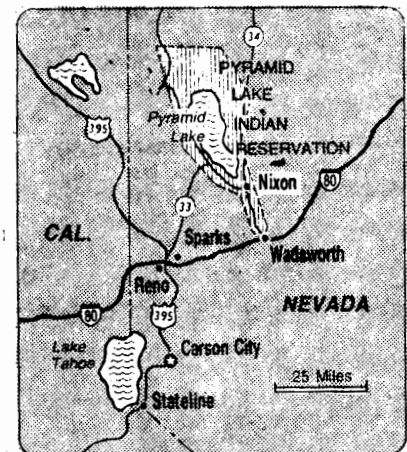
"**YOU GO** over to Cherry Tree, they speak a little different than we do, but we can understand them," Duncan said.

"All my grandchildren speak Cherokee real good. They know both Cherokee and English, and I think that's the best, because the way it is now with the kids, they're really learning. There's hardly a kid around here anymore who can't read."

WHAT THE CHEROKEES want, Duncan said, is much the same that Indians want all over the country. Among these wants is a desire for more jobs near their homes so their children can still remain near them when they are graduated and married.

Duncan's sister, Minnie Soap, 44, has seven children. She is determined they will go to college, but she is also re-

For generations, Navajo herdsmen had contentedly lived an unchanging life on the isolated reservation stretching across parts of Arizona and New Mexico that has been their ancestral home. Then coal was discovered under their land. Ovie Carter, The Tribune's Pulitzer Prize-winning photographer, shows some of the changes that have taken place since mining came—on the Back Page.



The Paiute Indians are returning to their reservation at Pyramid Lake to find that many "have almost forgotten how to be Indians."

signed to the fact they will move away to work when they are finished.

When she and her brother were growing up, they lived in the wilderness. Now, the world looks much different.

"**THERE ARE** too many cars, too many roads, and too many ways to go," she said.

They want opportunities for their children. And for themselves?

"All I want is something to eat," Duncan said. "I don't want to get rich. Just so I get by, that's all I want."

Tomorrow: The Indian discovers politics.



Tribune Photo by Ovie Carter

Cherokee Indian Clint Duncan, 58, lives on a disability pension near Stilwell, Okla. Had the government not dismantled the Cherokee reservation, he says, "there might have been somebody to look after us."



Tribune Photo by Ovie Carter

Cherokee Hiner Doublehead, his wife, and their two children at their home just outside Stilwell, Okla. "Americans seem to take it for granted that all people are the same, black, white, Indian, or non-Indian. Well, speaking for Indians, we're not the same, and there's just no way we're going to be the same."

'Chicago, it was a jungle'

Chicago Tribune Press Service

STILWELL, Okla. — Hiner Doublehead has known the world of the non-Indian in Chicago and of the Cherokee in Oklahoma on intimate terms, and he much prefers the latter.

He does research now for an Indian social agency, and he has a house on 10 acres of land just outside of Stilwell, where the only other house he can see is that of his brother.

Chicago, his home for 12 years, is just a bad memory.

"Boy," he said, "Chicago, to me, it was a jungle."

IN 1951, Doublehead and his wife and two children were the first Cherokee family to leave Oklahoma under a federal program of Indian "relocation." Under the program, the Bureau of Indian Affairs transported thousands of families to various cities, found them apartments and jobs, and left them to fend for themselves, hoping they would assimilate into non-Indian society.

Even though he had the advantage of a college degree in education, Doublehead couldn't assimilate and wonders how he stayed away from home so long.

He didn't like teaching, so he went through a succession of unskilled and semi-skilled jobs, living in a series of decrepit apartments in bad neighborhoods.

When his family first arrived in Chicago, they had difficulty adjusting, Doublehead said. His two oldest children spoke Cherokee and couldn't find any boy to talk with.

He wanted to socialize with other Indians, but the only place he could find them was in Indian bars on the North Side until the American Indian Center was opened in Uptown.

DOUBLEHEAD SAID he doesn't think Indians will ever have an easy time of coping with American cities simply because they're Indian and need the small communities in rural settings to survive.

"Americans seem to take it for granted that all people are the same, black, white, Indian, or non-Indian. Well, speaking for Indians, we're not the same, and there's just no way we're going to be the same.

"I know people who used to get lost in Stilwell [a small town with only a few hundred people]. By God, they're up in Chicago now. No wonder they turn into alcoholics."

THOUGH THE average per capita income for Oklahoma Cherokees is only \$1,200 a year, Doublehead said he is encouraged by an expanding tribal government, increased federal spending, and new housing.

"When I finally decided to come back here in 1963, it was the best decision I ever made," he said.

"One thing I miss about Chicago though," he said, patting an ample stomach, "is those Polish sausages. Oh, man, do I wish I could get them in Stilwell. I loved those things."

William Mullen



Walter Huff, a Seminole Indian in his 60s, carves a branch for a visitor near Big Cypress, Fla., that he prefers his "chickee"—the house with walls that roll up and down in the background—to a small, government-built house.

Sod roofs and palm fronds make housing a breeze

Chicago Tribune Press Service

BIG CYPRESS, Fla.—Some of the poverty that casual visitors see on American Indian reservations isn't poverty at all to the Indians.

Non-Indians are often astounded to see Navajos living in log and sod "hogans" in Arizona, built in the fashion of their ancestors.

Or, here on the Big Cypress Reservation, tourists are equally surprised to find Seminoles living in the traditional "chickee," built from poles and palm fronds.

FRAME OR BLOCK housing is available to Indians through government subsidies, but the traditional housing is cheaper—and better.

The hogan, with its thick walls and sod roof, is cool in the scorching desert summers and warm in the frigid plateau winters.

The chickee, with walls rolled down, can keep out the tropical rains. In the humid, sweltering summer months, the walls can be rolled up to catch the cool prevailing breezes.

WALTER HUFF, a Seminole who never left his Big Cypress reservation and is now, in his 60s, learning to speak English, recently moved back into a chickee from a small government house.

"I didn't like it," he said through an interpreter, "because it was too small. I think it's good to move into the open houses, because they're cooler.

"The bad thing is that the little children who are used to living in house now come by and see a house with no walls and take things. I hung up some pants in the house yesterday to dry after washing them. Now they're gone; somebody took them."

Distrust, long memories keeping Indian tribes apart

By William Mullen

Chicago Tribune Press Service

LAME DEER, Mont.—It has been 100 years since Col. George A. Custer and his men were wiped out in an Indian ambush several miles west of here.

But to this day the Northern Cheyenne have little use for their neighbors, the Crow. That's because the Northern Cheyenne was one of the tribes that took part in the attack, and the Crow were fighting on Custer's side.

The stigma of being "hired guns" for the white man has never quite left the Crow. Whenever they are mentioned to a Northern Cheyenne, or a Navajo, or a Nisqually, or a Seminole, he always reminds you in a joking fashion that the Crow were "traitors." It's a joke with a biting edge.

BUT THAT is not uncommon among

Indian tribes. Despite the loosening of traditions, the diffusion of hundreds of thousands of Indians into the cities, and intertribal marriages, Indian tribes still live very much apart from each other.

That is to say: They don't really get along very well.

That is due in large part to the fact that American Indians never consider themselves American Indians. They think of themselves as Menominee, or Paiute, or Klamath, or whatever particular tribe they belong to.

"Our elders were fanatics about what was proper for a Northern Cheyenne," said James King, 60, in Lame Deer, the seat of tribal government.

"They wouldn't allow outside marriages, even to a member of another Indian tribe. It's not so much the color of skin, it's the culture—we were bound by language and culture."

DESPITE a gradual erosion of the distinctions, there is still a strong feeling of identity in each tribe. Indian newspapers carefully note the tribe of each person named in their news stories—even in box scores of intertribal baseball games.

"There are 385 tribes and 250 Indian languages," said Alford Waters, a Cher-

okee from Oklahoma and an official at Chicago's American Indian Center in Uptown.

"We're as distinct from each other as Norwegians are from Italians."

This tribalism has been the main reason for disunity among the 900,000 Indians scattered throughout the United States.

The American Indian—1976

Before the white man came, there were no Indians. There were Navajo people, Seminole people, and the people of hundreds of tribes scattered over North America. Their descendants still regard themselves as members of separate Indian nations. For an in-depth study of Indian problems and prospects in 1976, The Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled for two months to a dozen states and reservations throughout the country. This is the third of their reports.

THE INDIANS have never been able to work together effectively as a national group for common causes or against unpopular decisions by the federal government.

Besides the Bureau of Indian Affairs, the federal agency that administers the treaty agreements with the tribes, there are few national Indian organizations.

The National Tribal Chairmen's Association is a BIA creation that Indian activists call a rubber stamp for BIA policy.

Americans for Indian Opportunity, the group run by LaDonna Harris, wife of former Oklahoma Sen. Fred Harris, is a Washington, D.C., cocktail-party fundraising operation.

The oldest and perhaps most effective group is the National Congress of American Indians.

MADE UP of 3,500 individual Indians

and 125 tribal representatives, the congress operates in Washington, D.C., as a sort of Indian lobby.

But there is no one loud, clear national voice for the Indians to represent them on national issues, and they badly need one.

For example, few non-Indians noticed the government "termination" policy in the 1950s. It was designed to close down reservations, giving the Indians a few thousand dollars each and forcing them into lives they were not prepared for.

The policy was unpopular from the start, but the Indians had no national political voice. Fortunately, only a few reservations, such as the Menominee in Wisconsin, were dismantled before the policy was proved to be a fiasco and ended.

NOW, SEVERAL tribes in the semi-

arid Southwest are facing battles over precious water rights on their reservations, and they fight them alone on a tribe-to-tribe basis. The same thing happened a few years ago in the State of Washington when separate tribes fought for fishing rights guaranteed them by their treaties.

When the Washington tribes banded together, they won significant federal court battles, forcing the state to honor the treaties and giving them 50 per cent of the state's annual fish harvest.

Several dozen reservations have valuable, virtually untapped mineral deposits within their borders in the form of coal, gas, oil, and uranium. Yet until recently, none of the tribes worked together to pool their knowledge and bargaining power.

The only Indian voice heard regularly in the U.S. in recent years has been the strident, radical, sometimes violent one of the American Indian Movement.

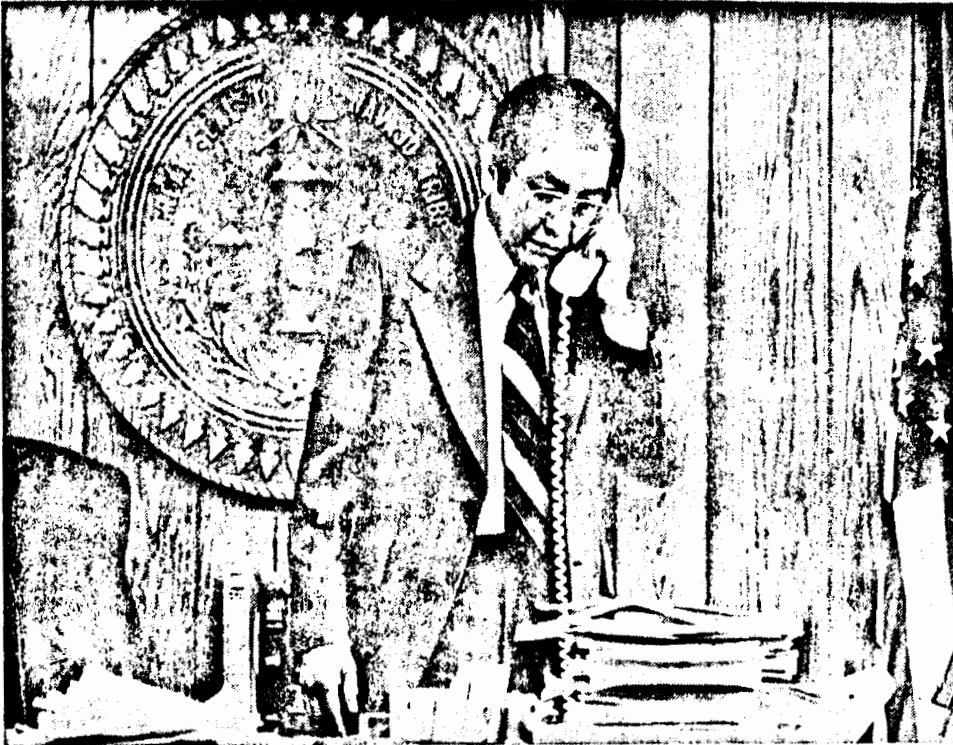
THOUGH IT never had more than a few hundred active followers at any one time, AIM had wide support on the reservations and in urban Indian ghettos. It was much too militant for the normally conservative Indian population, but Indians everywhere were happy to see decades of frustration being aired on television and on front pages.

Now that internal schisms have weakened AIM, even that voice is heard less. Indians travel endlessly to each other's reservations for powwow dances and ceremonies, but they rarely have united for political purposes.

"The geography is something almost impossible to organize," said Susan Harjo, one of the leaders of the National Congress of American Indians.

"**BESIDES**, the tribes have always taken pride in working out their own problems. How could you have a national Indian group go into the Northern Cheyenne Reservation and interfere with that tribe's internal processes?"

Because of a general disinterest in all



Tribune Photo by Orla Carter

Chairman Peter MacDonald of the Navajo tribe stands at the center of a political storm, like most tribal leaders. While he has organized the 150,000 Navajos who live

in Utah, Arizona and New Mexico into potent political force, detractors within the tribe attack him for an ostentatious lifestyle and charge corruption.

but tribal politics, Indians have never before been much of a factor in local, state, and national elections.

That is changing.

The most notable example is on the Navajo Reservation, where 150,000 members of the tribe sprawl into parts of Utah, Arizona, and New Mexico.

Chairman Peter MacDonald of the Navajo several years ago began organizing and registering tribal members to vote.

THE RESULTS have been electrifying.

"In precincts where we have never had more than 5 people voting, now we have 300 or more voting," MacDonald said.

"In 1974, we elected two state repre-

sentatives and a state senator in Arizona, and a state senator and a state representative in New Mexico.

"We also cast the deciding votes for governor of both states. In Arizona, Gov. Raul Castro won his election by 4,000 votes, while the Navajo gave him 10,000 votes. In New Mexico, Gov. Jerry Apodaca won by 2,000 votes while 8,000 Navajos voted for him."

THE NAVAJOS also are on the verge of seizing control of local politics.

"Because of our population [the Navajo tribe is more than twice as populous as any other] we have the advantage," MacDonald said, "but the circumstances are the same for a lot of other tribes. I think we'll see a lot of others following our example."

THE STORMIEST politics among Indians are the politics of tribal government.

There is a high turnover of tribal leadership because Indians generally cast a suspicious eye on anybody claiming to be a leader. Being a "big shot" is no virtue in the Indian scheme of things.

In MacDonald's case, he became leader of the tribe in 1970 and was extremely popular at first. But he has come under heavy attack within the tribe during the last two years.

MANY FORMER followers criticize what they call his ostentatious lifestyle. MacDonald drives a Lincoln Continental, lives in a luxurious ranch home, and draws a \$35,000 salary from the tribe, which has a \$900 per capita income.

His more serious critics point to corruption among his aides and a drastic drop in the tribe's reserve funds, from \$73.6 million in 1964 to \$33.3 million in 1975.

MacDonald attributes the decline to rapid growth and increased need for services on the reservation, but a federal grand jury has already indicted four tribal officials.

The grand jury reportedly also is in-

vestigating a \$13-million investment made by the tribal housing authority in a Los Angeles mortgage investment firm that later went into federal receivership.

MacDONALD denounces the investigations and indictments as outside political harassment, laying much of the blame on his former political ally, Sen. Barry Goldwater [R., Ariz.].

Formerly a Republican, MacDonald has shifted the Navajo vote toward Democrats. He said this angered Goldwater after the Republicans lost the state's northern counties in 1974 because of Navajo votes.

THE CONTROVERSY has caught fire on the reservation, however, and last May several hundred Navajos opposing MacDonald marched in Window Rock, the tribal seat of government, demanding that he resign.

While the backbiting and backbiting that characterizes Indian politics has contributed to their inability to work together as tribes, many Indians think it has also helped them to survive.

"Maybe in the past it was a good thing we couldn't get together because the U.S. had to handle each tribe separately and we couldn't all be destroyed at once," said Betty Barnett, a Laguna Indian working as a health official for the Miccosukee tribe in Florida.

She said it is now imperative that the Indians lay their political differences aside and start fighting together, and the Indians have finally begun to see that.

"We couldn't get together in the past, and we couldn't talk with each other because of language differences," she continued.

"A lot of that has changed. Now we have a lot of things to fight in common so now maybe it's time to get together because we're fighting a different kind of battle."

Tomorrow: The scoffed at but changing Bureau of Indian Affairs.

Indians now are telling U.S. they

By William Mullen

Chicago Tribune Press Service

WASHINGTON—How—or why—do you teach an Indian child not to be an Indian?

In one way or another, the United States government has been trying to do that for 200 years.

In the past, the U.S. has pulled Indian children away from their families and off their reservations to send them to schools, where they were beaten if they spoke in their native languages.

It has underwritten a huge program to transplant Indians to American cities, where it hoped they would find jobs and disappear into the American mainstream.

DURING the Indian wars, the U.S. even tried to exterminate them.

But the Indians are still with us—the poorest, most ignored segment of the American people.

"Everyone has an answer for the Indian problem except the Indians themselves. The Indians have never been asked," said Peggy Barnett, a young, UCLA-educated Laguna Pueblo Indian who works for the Miccosukee tribe in Florida.

INDIANS INCREASINGLY are no longer waiting to be asked but are telling the government to let them solve their own problems. And, it is turning out to be perhaps the most effective solution yet to Indian poverty and American ignorance of Indian life.

With the cost of Indian problems to the taxpayer escalating every year [\$1.5 billion this year], the solution is coming

none too soon.

Charged with spending most of the federal "Indian" money [\$1 billion this year] in the Bureau of Indian Affairs, probably the most hated and scoffed at of Washington's bureaucracies.

But the BIA in recent years has reversed its practice of trying to control tribal governments and now, through a policy of "self-determination," is encouraging Indians to chart their own destinies.

"THE BIA SHOULD be an advocate of the Indian community," said BIA Commissioner Morris Thompson, himself an Alaskan Indian. "But services should be provided by themselves wherever possible to strengthen the tribal government."

Under the new policy of self-determination, the BIA, instead of going to the reservation and providing services, sim-

The American Indian—1976

Before the white man came, there were no Indians. There were Navajo people, Seminole people, and the people of hundreds of tribes scattered over North America. Their descendants still regard themselves as members of separate Indian nations. For an in-depth study of Indian problems and prospects in 1976, The Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled for two months to a dozen states and reservations throughout the country. This is the fourth of their reports. Pictures on the back page.

ply gives the tribes the money the BIA would have spent. The tribe uses the money as it wishes to provide the same services.

The policy is optional, with the BIA allowing each tribe to decide what services, if any, it wants to handle itself. The results have been encouraging.

"We think it's working because we can hire professional people of our own choosing," said Buffalo Tiger, tribal chairman of the Miccosukees. His tribe of about 500 people is the only one thus far to take over its own services completely, thereby eliminating all BIA personnel on the reservation.

"NOW, WHEN the tribe hires somebody, they feel they have to produce for us because, if we are unhappy, we can fire them."

Of the 900,000 American Indians in the U.S., only about 550,000 receive BIA

money. This is because they live on reservations or federal trust land.

Most of the others live in cities, and the bulk of them were moved there under a relocation program started by the BIA in the 1950s.

It was hoped the program would result in Indians finding their own way into non-Indian society with jobs and education, taking the burden of the BIA budget off the taxpayers.

THE PROGRAM succeeded in getting hundreds of thousands of Indians into the city, but many of them couldn't make the cultural transition. We have, as a result, impoverished urban enclaves of Indians, such as the one in Chicago's Uptown.

Now the BIA is considering a move into these neighborhoods to try to help.

Despite changing policies and attitudes at the BIA, however, it may be too late to save the agency.

The BIA is a part of the Interior Department. It is something of an anachronism there, for it is the only agency dealing with people and social problems while other bureaus deal with land management, wildlife, mining, national parks, and forestry.

CRITICS SAY the BIA's position in the Interior Department can lead to a serious conflict of interest.

For instance, the Bureau of Reclamation may want to build a dam on a river upstream from a reservation to provide irrigation for nearby non-Indian farmers. If the Indians oppose the dam, they have to rely on the BIA to fight it for them.

The battle must go to the Secretary of the Interior for a decision. Indians say that all too often other agencies in the department win because they have more political clout.

will help selves

CRITICS ALSO charge that the Congressional committees governing the Interior Department are overloaded with politicians closely aligned with non-Indian agricultural and mining interests. When the heat is on, the department invariably comes down on the non-Indian side.

That is one of the reasons the BIA may soon be abolished or at least radically changed.

Next January, Congress will receive the report of the Indian Policy Review Commission, a two-year study of federal Indian policy organized by Sen. James Abourezk (D., S. D.).

The commission is made up of three

U.S. senators, three U.S. representatives, and five Indians, and is the first comprehensive review of Indian policy in 50 years.

ERNEST L. STEVENS, its director, is an Oneida Indian from Wisconsin and an ex-BIA official who promises some surprises.

"People are going to get a hell of a job in January when that report comes out," he said.

The report is likely to recommend that the BIA be removed from the Interior Department and set up as an independent agency, perhaps answerable only to the President.

Stevens said too much of the BIA

budget goes toward supporting a cumbersome bureaucracy, and too little goes directly to Indians. By giving the Indians a more independent agency, he said, the money will be more effectively spent and Indian interests will be better represented.

"THE TRUST responsibility the BIA has in protecting Indian land has always resulted in benefiting the non-Indians," Stevens said. "Indian resources are being manipulated and sacrificed at next to no value to Indian people."

That responsibility of protecting Indian land and resources is the most important part of the relationship between the BIA and the Indians.

SEP 16 1976

Alcoholism Indians' worst

By William Mullen

Chicago Tribune Press Service

GALLUP, N.M.—Henry is a stocky, 20-year-old Navajo whose Saturday night ended in a gutter in front of Milan's tavern with two holes in his chest.

He had gotten drunk, and he got into a fight with another young Navajo who ended it by sticking a jackknife twice into the left side of Henry's chest.

It was only 10:30 p.m., but Milan's and Eddie's, Gallup's two biggest Indian bars, were overflowing. The usual Saturday night fights had started.

Indians of all ages and both sexes were already careening out of the taverns, lurching unsteadily down the streets in search of a place to stretch out and sleep it off until the next morning and the next bottle of wine.

THIS PARTICULAR night was slower

than usual. Gallup police placed only 160 Indians in "protective custody" in its three cavernous drunk tanks. Another 150 drunken Indians found their way to a spartan quonset hut that a local Indian organization opened as a "sleep-in" center with nothing more than a barren floor.

As it turned out, Henry was the most serious casualty of the night, and the two shallow wounds were not serious. Within minutes of the stabbing police thought they had the assailant, but witnesses told them emphatically they had the wrong man.

"They're just covering," a disgusted detective said after releasing the suspect. "They know he did it. They'll just wait until he gets back on the reservation and get even there. That's what they always do."

What happens every Saturday night in Gallup, just a few miles off the Navajo reservation, happens in a lot of towns near large concentrations of Indians.

IT HAPPENS in Nixon, Nev., where the Paiute drink; in Tacoma, Wash., where the Puyallup drink; in Hardin, Mont., where the Crow and Northern Cheyenne drink; in Hollywood, Fla., where the Seminole drink; and in the bars of Uptown in Chicago, where the transplanted Indians of many tribes drink.

Their alcoholism is a disease, and it's far from the only one faced by the

health problem

PAGE ONE

The American Indian—1976

For decades their children were the most susceptible to disease and death, and their adults died at a younger age than any other ethnic group in the nation. Despite improvements, American Indians still have the most abysmal health problems in the U. S. For an in-depth study of Indian problems and prospects in 1976, The Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled two months to a dozen states and reservations throughout the country. This is the fifth of their reports. Pictures on the back page.

American Indian. In fact, as a group, the 900,000 Indians share more medical problems than any other ethnic grouping in the nation.

Dysentery and gastroenteritis, practically nonexistent among non-Indians, still are murderous diseases in Indian communities.

Tuberculosis is nine times more active among Indians. Chicken pox, mumps, measles, and scarlet fever still sweep through Indian communities. The average lifespan last year for Indians was 48, compared with 71 for the rest of the population.

BUT OF ALL the medical problems suffered by Indians, alcoholism takes the biggest toll.

Indians have an alcoholic death rate five times greater than the rest of the United States. It wrecks Indian homes and reaches deep into Indian schools, where administrators say pupils start drinking heavily at the age of 12.

Alcoholism, too, has contributed heavily to the greatest cause of Indian fatalities—accidental death.

THIS IS PERHAPS most noticeable in Gallup and on the Navajo reservation because of the heavy concentration of 150,000 Navajos.

Gallup is the most important city to the Navajo Reservation. It is the primary shopping town, and because liquor sales are prohibited on the reservation, it is the primary drinking town. The 25-mile, narrow, hilly highway leading from Gallup to the reservation is one of the nation's deadliest.

Navajos returning from drinking sprees collide in autos and pickup trucks with frightening frequency, and drunken hitchhikers often wander aimlessly into traffic.

In the winter, hardly a week passes that a Navajo isn't discovered frozen to death under a snowbank near a bar.

BESIDES THE monumental self-destruction caused by Indian drinking, it has also worsened relations between the Indian and non-Indian in places like Gallup, a town of 15,000. The sight of several hundred reeling, drunken Navajos every weekend is hardly an endearing one.

It is a myth that Indians are less able to tolerate alcohol than non-Indians, perhaps because of differences in metabolism.

This has been proved untrue. Indians and non-Indians have the same tolerance for alcohol. Doctors and scientists now believe Indian alcoholism, like any other Indian health problem, is rooted simply in cultural and economic problems.

"YOU TAKE a teen-age boy who left his Navajo home for boarding school at a young age," said Dr. Marlene Haffner, Indian Health Service director for the Gallup area.

"By the time he is 12, many times parents fail to see the value of his education and think he would be more valuable helping at home. At the same time he is being encouraged to go on with his



Tribune Photos by Orla Carter

Morris Thompson, an Alaskan Indian and a Bureau of Indian Affairs commissioner, and Peggy Barnett, a Laguna Pueblo who works for the Miccosukee.

It is a responsibility deeply rooted in the treaties signed between the U.S. and the various Indian nations. Ironically, it is a liberalization of BIA staffing regulations to favor Indians for BIA jobs that has seriously undercut its ability to meet this responsibility.

Morale among BIA staffers has plummeted in recent years, to the extent that the agency is having difficulty filling key positions.

THE CAUSE is the Indian preference rule. If the BIA is going to hire or promote somebody and if a qualified Indian is found, he or she must get the job over any non-Indian seeking the same position.

While the rule has served to fill many top and middle-management levels in the BIA with Indians, it has also caused many dedicated non-Indian career officials to quit the agency.

"I decided 10 years ago to make my career with the BIA," a young administrator in a BIA school in New Mexico said. "Now I've got no choice but to get out."

"I'm too young to stay in an organization where I know I've got no chance for advancement for the rest of my life. The sad part of it is that the bureau is promoting so many Indian people before they're ready, and it's terribly damaging to their lives, because they just can't keep up with the job."

THE INDIAN preference policy has been most damaging to its staff of mineral and water experts, whose knowledge is crucial to dozens of tribes without their own experts in such matters.

"Let's look at the grim realities," said Kenneth Fredericks, chief of the BIA's division of trust services. "We have Indian preference, and it's hard to find specialists who would work for the BIA."

"We can't get non-Indian experts when they're in so much demand by industry," he said, "because they know they might be here for only a couple of years and get pushed out by a qualified Indian."

THE BIA, to make up for these deficiencies, now is trying to get money to give directly to the tribes so they can contract water and mining experts on their own.

The bureau remains committed to Indian preference, said the BIA's Thompson, who feels in the long run it will work out successfully.

"Morale has gone down for our non-Indian employees," he said, "but eventually I think Indian preference will open up communication with the people we serve that was never there before."

Tomorrow: Drinking and dying.

schooling by his teachers. He is torn both ways."

Too often, the boy drops out, leaving the average Navajo with a 5th-grade education. They are thrust back on the reservation with no jobs or skills, faced with a per capita annual income of \$900, and an unemployment rate ranging from 35 to 65 per cent.

"By the time kids reach 20, life can look pretty confusing and hopeless under these conditions," Haffner said, "and a bottle of wine can look like a good friend."

TREATMENT OF alcoholism among Indians is in the beginning stages. Most tribes have some sort of program, but there is little in the way of mass education or detoxification facilities.

Many health officials like Haffner believe the tribes themselves might help by changing some of their thinking about alcoholism.

Most tribes will not allow liquor to be sold or consumed on the reservation.

"I WOULD seriously consider changing this," Dr. Haffner said. She explained that reservation taxes on liquor could fund educational programs and treatment and detoxification centers.

It might also, she said, end some of the mayhem on the roads and some of the senseless winter deaths if people could stay at or near their homes to drink.

Dr. Joseph Exendine, one of the national directors of IHS, said the agency also is attempting to increase its budget, now more than \$300 million a year, to provide more treatment for alcoholism.

Since it was organized as part of the U. S. Public Health Service in 1955, IHS has had a great deal of success in treating Indian health problems.

When it started, the average life expectancy was 44 years for an Indian. Now it is expected an Indian born today will live to 65.1 years.

It has done this by building hospitals and providing broad health care on the reservations. It has reduced the infant mortality rate by 62 per cent and tuberculosis deaths by 86 per cent, and it has shown an impressive record of drastically reducing other types of disease as well.

"THERE HAVE BEEN a lot of improvements, but we're still a long way off," Exendine said.

Many of the remaining problems are caused by poverty on the reservations.

"A lot relates to crowded conditions where two or three families live in a small house and communicable diseases just float around from one person to another," Exendine said.

This is especially true of respiratory diseases, to which Indians are particularly susceptible, he said.

DR. HAFFNER also said health care on the Navajo reservation is precarious because of economic depression.

"Only 40 per cent of the households have running water, so we see a lot of dysentery, trachoma, and hepatitis," she said. "Because so many mothers are uneducated, they don't know that when a child has a 104-degree temperature, they should see a doctor."

"A child doesn't come in with the first sign of an earache, so by the time it really gets bad, it has become a case of meningitis."

The vast isolation of the reservation works against good health care, too, Haffner said.

"A COUPLE of years ago we had a bad winter and the roads were in bad shape. A woman came into the hospital in Gallup at 4 a.m. one day with two children, one with pneumonia, the other with a congenital heart disease.

"The staff started getting angry with her for waiting so long to bring the children in until they found out that she had started out at 6 a.m. the previous morning. Then her pickup got stuck in the mud.

"She had to walk from her hogan [Navajo house] 10 miles out to a road, flag down a car, find the police, then get bulldozers in to haul her kids out. It took her 22 hours, and it isn't uncommon here."

Exendine hopes a new Indian self-determination policy will alleviate many of the health problems still faced by tribal people.

INSTEAD OF only providing services, Exendine explained, the federal government has been giving the tribes the option of taking money earmarked for health care and spending it as they see fit on medical needs.

"The tribes aren't going to take on programs they can't handle," he said, "but when they do take something they can handle, they run them better than we can because they know the peculiar local problems.

"I have a feeling that as the self-determination policy continues to grow, we're going to see some effective solutions to diseases like alcoholism. That's when we will see tailor-made innovations to the problems, because the solutions will be coming from the tribes themselves."

Tomorrow: Saving the land.



Tribune Photos by Ovie Carter

Police book one of the scores of drunken Indians rounded up during a typical weekend in Gallup, N. M., 25 miles from the Navajo reservation. Besides the monu-

mental self-destruction caused by Indian drinking, it has also worsened relations between the Indian and non-Indian communities in places like Gallup.



Dr. Joseph Exendine: "It gets more publicity, but I'm not so sure alcoholism is much different . . . among non-Indians."

A subject most Indians would prefer to avoid

ALCOHOLISM IS a subject of deep embarrassment to American Indians because of their understandable sensitivity to degrading stereotypes.

In talking to dozens of Indian leaders and scores of individual Indians for two months, I drew the same pained expression each time I asked a question about alcoholism. Nobody wants to talk about it.

"Yes," tribal leaders invariably said, "alcoholism is the worst problem we face." Then they would try to change the subject.

Indian health and social workers tried to steer away from the issue by calling into question the statistics used in measuring Indian alcoholism.

INDIVIDUAL INDIANS always responded to the question with a wry smile, as if to say, "So that is how you want to portray us."

THERE ARE no reliable statistics on alcoholism among Indians, just as there are no such statistics to measure the extent of alcoholism among all Americans.

Still, the Indian Health Service has

one telling statistic. It shows that the death rate for Indians attributed to alcohol is five times the national average.

Dr. Joseph Exendine, an Indian who is a deputy director of IHS, believes too much attention is given to the Indians' drinking problem simply because they're Indian.

"It gets more publicity," he said, "but I'm not so sure alcoholism is much different among non-Indians."

"I **THINK** Indians with drinking problems are just noticed more because they fit the non-Indian stereotype of what an Indian should be."

Alford Waters, a community representative of the American Indian Center in Chicago's Uptown, shares that feeling.

"The alcohol problem is exaggerated," Waters said. "We're just more visible than others. There are a lot of drunks in Uptown, but you people only seem to see the Indians, and they're usually the same ones out on the street every night."

William Mullen

Alcohol: Indian scourge

Saturday night in an Indian bar. It doesn't matter if it is in a small town near a reservation, or in a big city like Chicago. Indian bars always seem to be in the scruffiest neighborhoods. The crowds are always big, the beer and wine is cheap. The bars are unbelievably noisy with cowboy music, laughter, arguments, and sometimes violence.

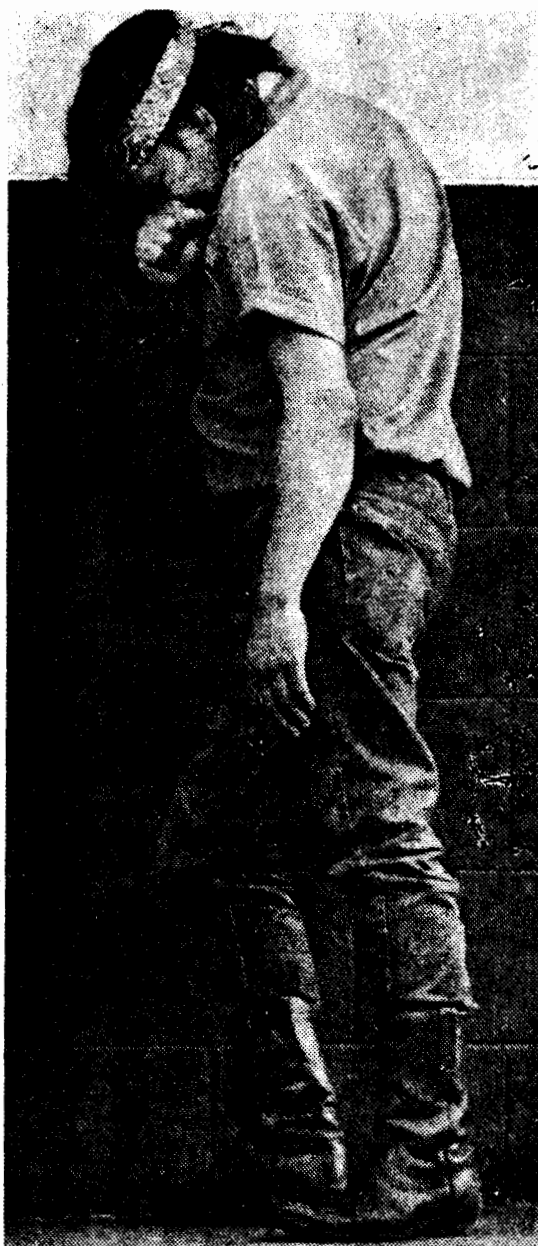
The image of the drunken Indian is stereotyped, but the problem of alcoholism, unfortunately, is a very real one. It is caused not by any genetic or racial differences, but by grinding poverty and the frustration of never quite fitting into American society.

For the most seriously afflicted, there is very little joy connected with drinking. They go into a bar, drink as much and as fast as they can, and then stumble outside and try to find a place to sleep for the night, their personal worries and hurts temporarily blotted out.

When the bars close for the night, the mayhem begins. Arguments carried into the streets often end in fights. People heading for home obviously stagger into traffic. For those too far from home, they have their choice of a patch of ground or the hard floor of the local drunk tank. "Baddest disease we ever had," said an Indian mother who lost three sons to alcoholism, "wine."

Tribune reporter William Mullen examines alcoholism's toll on American Indians—and discusses other serious health care problems they face—on page 1.

Tribune photos by Ovie Carter



Indians coming to the city often are lost and alienated amid the concrete, the noisy streets, and the lack of trees. They look for companionship in the bars and find themselves more alone.



Police in Gallup, N. M., where public drunkenness has been decriminalized for several years, use two vans to patrol streets for tipsy drinkers. Those rounded up are taken to a drunk tank for protective custody. On a busy Saturday night they may pull in more than 200 Indians.



Of all medical problems suffered by Indians—and Indians share more than any other American ethnic group—alcohol takes the biggest toll.



A Saturday night on the town ended early for Henry, a 20-year-old Navajo. He had been in Milan's tavern in Gallup, N. M., drinking and arguing with another man. When they stepped outside, the other man stabbed Henry twice in the chest. The shallow wounds, fortunately, were not serious.



So many Navajos were freezing to death in Gallup after wintertime drinking bouts that an Indian organi-

zation opened a cavernous "sleep-in" center several years ago. People standing in back of the dimly lit

Quonset hut are searching among those curled up on the barren floor for a relative they want to take home.

SEP 17 1976

The American Indian: His land still shapes his future

PAGE ONE

By William Mullen

Chicago Tribune Press Service

BLACK MESA, Ariz.—The world of Ted Yazzie and his wife, Jeannie, has grown a good deal smaller in the last few years.

They are an elderly Navajo Indian couple whose herd of 500 sheep used to have the run of the sacred hills and streams of Black Mesa, a verdant paradise within the vast, dry Navajo reservation.

Now, they have fewer than 100 sheep and only one house, rather than the scattered cabins and split-rail corrals they used as line camps as they followed their herds through the seasons.

FOR THEIR PARADISE has been rented to the Peabody Coal Co.

Ted and Jeannie Yazzie, like most of

their neighbors, don't speak English and still worship the spirits they believe inhabit their surroundings—or what is left of their surroundings.

For Black Mesa is perched on a very rich, very shallow vein of low-sulfur coal, and the Navajo tribe a number of years ago leased it to the coal company.

The millions of dollars the tribe is realizing from the lease has helped its shaky budget. The coal company is happily making money. The people of Los Angeles are buying relatively cheap electricity, generated by the Black Mesa coal.

People like the Yazzies are the only ones unhappy with the arrangement.

"It's really bad for us," Ted Yazzie said through an interpreter. "A lot of our homes up here were destroyed just so they could mine. They've destroyed

The American Indian—1976

The wagon trains and settlers no longer threaten Indian land, but the struggle for energy and diminishing water supplies has put new pressures on the Indians. Once again they are being asked to give up their land and way of life. For an in-depth study of Indian problems and prospects in 1976, The Tribune's Pulitzer Prize-winning team of reporter William Mullen and photographer Ovie Carter traveled for two months to a dozen states and reservations throughout the country. This is the sixth and last of their reports. On the back page, photographs capture the flavor of life for today's Indian children.

the land, so we can't use it anymore."

IN ADDITION to shattering their isolated wilderness, the mining has erased much of their religion, and they view this very darkly.

"We used to offer our prayers on the

hills and springs," Yazzie said. "Now they are all covered and destroyed."

The Yazzies are convinced they are suffering through a drought this year because the spirits have fled Black Mesa.

"The land is destroyed," his wife explained. "There is no reason for the rain to fall here anymore. Even our animals don't like it. They just wander away."

SO TIME and progress continue to infringe on the American Indian. A century ago, there were the wagon trains of the settler. Now there is a new kind of intruder—the mining and energy experts.

The energy crunch of recent years has transformed the marginal reservation lands into some of the most attractive real estate in the country.

Reservation lands already are producing large amounts of oil, natural gas, and uranium. More importantly, these lands contain 20 per cent of the known coal reserves in the United States.

At first glance, the energy reserves would seem to be a great blessing to the poverty-stricken tribes lucky enough to

have them. But that has not been the case, at least so far.

IF THE ARAB oil boycott and energy shortage caught other Americans by surprise, it propelled the Indians into a state of total bewilderment. The big energy companies moved on to the reservations swiftly, acting on options they have held for known coal fields, and they have sent teams in to prospect for new fields.

On the other hand, the Indians have no mining engineers, geologists, or lease experts.

They don't know how much gas, oil, and coal they have under their lands, and they don't know what to do with it once it is discovered.

THE LURE OF hundreds of millions of

dollars for tribal coffers through energy leasing has been a strong one for individual tribes. The tribes also get a royalty on gas, oil, and ore that is mined, and the mines themselves provide desperately needed jobs for reservation Indians.

But the disruptions cause by the machinery and the influx of non-Indians have caused many tribes to back off and look suspiciously at the windfall.

"Most tribes are in the same situation we are," said Peter MacDonald, chairman of the Navajo Tribal Council, the elected leader of 150,000 Indians living on the sprawling Navajo reservation.

"In the past, we weren't able to get the best deals we could, and we're in the process of trying to correct that."

THE NAVAJO tribe, he said, has been stung by leases it made back in the 1960s. On some mining operations the tribe negotiated royalties of 15 cents for each ton of coal removed.

MacDonald said that's what the tribe is being paid now — even though the price of coal has increased fourfold, and the companies are making more money than ever.

"We're trying to renegotiate some of the bad contracts negotiated for us by the federal government," MacDonald said. "With hindsight, it's inconceivable to me that we should have signed anything without an escalator clause on the tonnage rates."

BUT ESCALATOR clauses and increased tonnage royalties aren't enough to satisfy Harris Arthur, a young Navajo and trained engineer who has become perhaps MacDonald's severest critic.

"Their [tribal leaders] idea is to renegotiate the leases and get 55 cents a ton instead of 15 cents," Arthur said. "That's not going to do us any good."

He has been rallying the Navajos in the northwest corner of the reservation, where the tribal government has been negotiating leases for vast coal fields and four sites for coal gasification plants.

The plants would be huge, employing up to 1,200 persons each, turning coal strip-mined from the area into synthetic natural gas.

IF THEY are built, a new city would have to be erected on the reservation to accommodate up to 35,000 workers and dependants, most of them non-Indians.

Arthur thinks the disruptions of normal life in the area would be much too great to allow the project to go ahead.



Northern Cheyenne Chairman Allen Rowland: "We're not trading our homeland for just a few temporary jobs."

He has won the support of most of the people in the area and has forced the Navajo Tribal Council to slow down its planning.

"It's not that we're against development per se," he said. "In order for us to survive we're going to have to have development. The question is, who is going to do it and how, where and at what pace?"

HE SAID he is more in favor of waiting 20, 30, or 40 years until the Navajos themselves have developed a nucleus of geologists, engineers, and managers to run their own mining operations.

"As for the gasification plants," he said, "we don't need them, and we don't need their pollution and stench. If the people of Los Angeles want synthetic natural gas, they can put the plants out in Los Angeles County, and we'll gladly send the coal to them by rail."

Any immediate economic benefits for



Ted Yazzie longs for the days when their 500 sheep had the run of the sacred hills and streams of Black Mesa, a verdant paradise within the vast, arid Navajo reservation. Now they have only 100 sheep and their paradise has been rented to the Peabody Coal Co.



Tribune Photos by Ovie Carter

Al Bridges points out ancestral fishing grounds in western Washington's Nisqually River. Bridges has been arrested 70 times in an effort to assert rights the Indians say were granted by an 1853 treaty.

the Navajos from the energy windfall are offset by lack of planning for the welfare of the Navajos of the future, Arthur said.

"I know we need jobs immediately, but is that need worth sacrificing our future?" he asked. "What is going to happen to us in 15, 20, or 30 years from now when the coal is gone and the jobs are gone?"

ALLEN ROWLAND, tribal chairman of the Northern Cheyenne Reservation in Montana, a tribe sitting on an estimated five billion tons of coal, has reached some of the same conclusions.

"We're not trading our homelands for just a few temporary jobs," he said.

Under Rowland, the tribe has been fighting to escape from leases made several years ago with various companies which would pay only 17.5 cents for each ton of coal and made no provisions for land reclamation later.

"In 1973 we asked the secretary of Interior to cancel out all the leases and permits we had with the coal companies. We're not so sure now we ever want to see a coal shovel on the reservation," he said.

"WE DON'T WANT another Black Mesa up here and have the same thing happen to our people as happened to those people down there."

There are only 3,800 Northern Cheyenne living on the reservation, and unemployment ranges as high as 60 per cent during certain times of the year.

With the potential of a billion dollars in tribal income from the coal, the tribe isn't likely to ignore it.

But it now seems likely that the Northern Cheyenne and other tribes in similar circumstances are going to make sure they get the best possible deal they can from the resources they have.

THE INDIANS are growing in sophistication in their dealings with the energy giants. In the past they worked alone with limited advice and expertise when they talked to the big mining companies. Now they are beginning to compare notes and are watching what has happened to other tribes before they sign leases and agreements.

In fact, MacDonald of the Navajos has been organizing a coalition of 22 tribes that have energy resources to sell.

Called the Council of Energy Resource Tribes, CERT is patterned after the Arab nation's negotiating body, OPEC.

"We're a coalition that will bargain as best we can for the tribes," MacDonald said. "We'd like to have plans so that whatever economic gains are derived from mining, in its place will be a permanent economic activity to continue employment after the mining stops."

How one tribe nearly died

Chicago Tribune Press Service

NIXON, Nev.—In the Southwest, where there is little rainfall, the limited supply of water in streams and rivers literally holds the power of life and death over dozens of communities.

There is a constant battle between Indians and local ranchers, farmers, towns, and cities over water rights from streams and rivers running through reservations. More often than not, the non-Indians win.

Right now, the Navajo tribe is in the middle of a fight to increase its water rights from the San Juan River. The Cochiti Pueblo Indians in New Mexico are in a similar battle over how much water they are entitled to from a man-made lake behind a new dam on the reservation.

Here in Nixon, the Paiutes on the Pyramid Lake Reservation were losing water-rights battles they didn't know they were fighting, and it nearly destroyed the tribe.

THE PAIUTES had once made their living from the 25 mile long, 11-mile wide lake and the cutthroat trout that lived in its stunningly beautiful waters.

Then, in 1905, the federal Bureau of Reclamation built the Derby Dam to divert the flow of the Truckee River from the lake to desert lands reclaimed by white settlers.

Without its main tributary, Primary Lake began losing its water through evaporation, and the level sank 70 feet between 1944 to 1954. More importantly, the cutthroat trout, the largest species in the world, disappeared because they could no longer travel up the Truckee on their spawning runs.

WITH THE TROUT gone, the Paiutes lost their staple food supply and the only sizable industry on the reservation.

Many of the younger Paiutes moved away, and the traditions of the tribe started to die from disinterest.

Frank A. Archambault, a retired Internal Revenue Service official and a Sioux Indian from South Dakota, saw the plight of the Paiute in 1972 and decided to do something about it.

Archambault also is chairman of the board of the American Indian Development Association, a nonprofit group of consultants that provides technical and business management assistance to Indian tribes.

HE SHOWED the Paiutes how to get federal assistance to establish fish hatcheries and processing plants to restock the lake with trout. The tribe has already opened its hatchery and fish farm, training and employing many Paiute Indians for the highly technical work.

The tribe also is about to open a processing plant to package trout and Coho salmon filets for retail sale, bringing jobs to at least 50 more Indians.

Further, the Paiute are deeply involved in court fights over their share of water from the lake tributaries, hoping to stabilize the lake at its present 300-foot depth and stop the evaporation.

WITHIN FOUR YEARS the Paiute tribe has experienced something of a rebirth, with people moving back to the reservation, new homes being built, and a resurgence in pride of Paiute culture.

Archambault's organization is doing similar work with seven other tribes around the country. He said it is mandatory that Indians protect their land and their mineral and water rights from new incursions by white entrepreneurs, simply as a matter of survival.

William Mullen