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WHY WE'VE GOT 'THE BLUES'

File
Indians -
Clary
Ins.

Immediately following this notice, you'll see a change in THE CLARY INSTITUTE NEWS BULLETIN FOR INDIAN LEADERS: *the type is blue*. Not terribly attractive, perhaps -- but guaranteed not to photocopy into readable quality. Why have we taken this action?

We have been publishing the NEWS BULLETIN for 18 months now, and we have not yet reached the break-even point -- the point at which revenues from subscriptions cover production costs. In the meantime, printing and mailing costs are continuing to increase.

We provide the NEWS BULLETIN as a service, but we believe the service is worth at least what it costs to produce.

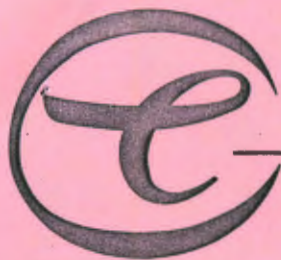
At the same time, we are aware that many people are photocopying the BULLETIN for internal distribution. While the BULLETIN is not copyrighted and may be quoted in any context as long as we are credited, we do offer discount subscription rates for multiple copies so that ~~photocopying is not really all that attractive~~. Therefore, we have chosen to reinforce this point by making it difficult to ignore.

A subscription form to the NEWS BULLETIN is attached to this issue. We ask that subscribers aid the NEWS BULLETIN in remaining viable -- in staying alive -- by choosing to order multiple copies at the ~~discount rates and by urging others who are not subscribers to subscribe today!~~ We face the real possibility of being forced to suspend publication if the BULLETIN does not become self-supporting within a reasonable period of time.

Perhaps the best reason we can cite is one given to us by a tribal official on a reservation where we were working. We visited one of the tribal enterprises, a museum-type gift shop, and discovered that hand-made baskets of about four to six inches in diameter were selling for \$100 and up. "Why are these so expensive?" we queried. And the tribal official replied: "Because this is a business, and we deserve to make a profit or at least break even."

We support all businesses -- tribal and otherwise -- in adopting this attitude, and now rely on the market to tell us whether there is sufficient demand to justify continued availability of this product of ours.

#



The Clary Institute

ERICA W. CLARY
CHAIRMAN-DIRECTOR
THOMAS C. CLARY, Ph.D.
PRESIDENT-DIRECTOR

WHY THE CLARY INSTITUTE NEWS BULLETIN FOR INDIAN LEADERS?

The Clary Institute (TCI) is a 100 per cent American Indian-owned firm. Indian tribal governments are among TCI's major clients as are various Federal, state and local government agencies and private businesses.

Tribal officials have continually complained to us about a lack of information from Washington, D.C. We have also heard complaints regarding the inadequate representation of Indian people, even by lobbyists on tribal payrolls. Many Indians believe BIA is their natural advocate, but this is impossible since BIA is a part of the U.S. Department of the Interior. Although the Secretary of the Interior and the Assistant Secretary for Indian Affairs have trust responsibilities for Indians, they are appointed by the President and must carry out administration policies.

Hence, THE CLARY INSTITUTE NEWS BULLETIN FOR INDIAN LEADERS was born. It is supported only by the subscriptions it receives. There is no government subsidy and, therefore, no government pressure on our editorial content. At this time, the BULLETIN is not even a profit-making venture.

We have refrained from copyrighting our material because we are more interested in getting current information into the hands of those who can use it. We ask only that THE CLARY INSTITUTE be given credit when our items are picked up by other publications.

In addition, we hope the NEWS BULLETIN will bring to the attention of our readers the fact that TCI is capable, knowledgeable and trustworthy. If so, we are looking to you to utilize the services TCI provides.

A brief overview of our services includes:

- consulting with tribal leaders on ways to improve tribal operations

- assisting tribal governments in Washington, D.C., by conducting legislative research, handling public relations and speech writing, scheduling appointments and performing other tasks associated with gaining the ears of Congress, Federal agencies and/or public interest groups
- conducting on-site seminars designed to aid tribal officials and program managers in making better decisions on P.L. 93-638 contracts
- conducting program evaluations
- conducting executive development, organization development and/or specialized employee development and training programs -- on-site, if desired
- conducting feasibility studies and aiding in devising business plans for economic development
- consulting on or actually producing multimedia training programs including slide or videotape presentations, films, tailor-made workbooks and hand-out materials
- developing and producing informational booklets, brochures and pamphlets and/or visual presentations (slide-tape, videotape, film)
- designing performance appraisal systems, compensation plans and personnel procedures which will comply with the Civil Service Reform Act of 1978
- AND MORE

TCI also publishes an annual U.S. Government Indian Desk Directory with listings for all major Federal programs serving Indian people. Services and publications are summarized and names, addresses and telephone numbers of key contacts are provided in this handy reference work. Subscribers receive updated material for the Directory on a quarterly basis.

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6	450	14	750
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8	550		

A subscription order form for both the NEWS BULLETIN and the Directory is attached. Please return this form with your check to us today so that you can stay abreast of "the latest" in the world of Indian affairs. Or call us at (202) 333-6350 so we can discuss how The Clary Institute can serve your tribe or organization.



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Use the back of this form for additional subscribers, if necessary, and be sure to indicate which publication individuals wish to receive.
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Make checks payable to THE CLARY INSTITUTE and return this form to: Editor, TCI NEWS BULLETIN/Directory, The Clary Institute, 3700 Massachusetts Ave., N.W. Suite #530, Washington, D.C. 20016. For further information: (202) 333-6350.



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NEWS BULLETIN FOR INDIAN LEADERS

Complimentary Copy

VOLUME III, NUMBER 5

March 15, 1981

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Hello, My Friends . . .

The President sent his revised budget to Congress March 10. The cuts will be painful to most tribes if Congress approves them, and most Congressmen estimate 75-95 per cent will be approved. Key Congressional leaders to contact if you want to comment are:

Hon. James R. Jones, Chairman
House Budget Committee
203 Cannon Office Building
Washington, D.C.
(202) 225-2211

Senator Peter Domenici, Chairman
Senate Budget Committee
2317 Dirksen Building
Washington, D.C.
(202) 224-6621

and your own congressional delegation. (Hearings are beginning immediately.)

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Some of the major cuts include:

- elimination of Economic Development Administration (EDA).
- elimination of National Consumer Cooperative Bank.
- reduction of loan guarantee commitments in rural development programs in Farmers Home Administration.
- further reductions of Food and Nutrition assistance.
- termination of HUD's Indian Housing Program in 1982 and rescission of \$0.2 billion in budget authority for the program in 1981. The current backlog of 22,000 funded but unfinished Indian housing units represents a 5½-year supply at the 4,000-unit program level proposed in the January budget. With an average budget authority cost of over \$175,000 per unit, the budget cutters see no reason to continue this very expensive and substantially backlogged program. [NOTE: National Indian Housing Council Board is meeting in Washington, D.C. first week in April. They have their work cut out for them to rebut these Administration cuts.]
- phase-out of Title II-D and VI public service jobs programs of CETA by Sept. 30, 1981.
- Legal Services Corporation and Office of Juvenile Justice and Delinquency Prevention activities are being included in a social services block grant to states. [NOTE: This probably will eliminate legal services for poor Indians. For more information, contact: John Echohawk, Native American Rights Fund, 1506 Broadway, Boulder, CO. 80302, (303) 447-8760, or Tim Ayers, Legal Services Corporation, 733 - 15th NW, Washington, D.C. 20005 (202) 272-4030.]
- Community Services Administration funding will be available beginning in 1982 for the purposes served by this program from the Health and Human Services Social Services block grant. The FY '81 budget to be transferred to HHS is at \$483 million (down \$103 million from Carter's budget). There is a \$542 million budget authority in 1982 with only an estimated \$299 million outlay.
- Inter-governmental Personnel Assistance (IPA), Office of Personnel Management will be phased out by Sept. 30. This will take legislative action.

- Administration for Native Americans (ANA) is being reduced by \$5.8 million for FY '82. This cut includes: Financial assistance grants by \$2.7 million; Training and Technical assistance by \$2.1 million; and Research, Demonstration and Evaluation by \$1 million. These cuts in financial assistance will break out as follows:

	<u>FY 1981</u>		<u>FY 1982</u>	
	<u>No.</u>	<u>\$ in Thousands</u>	<u>No.</u>	<u>\$ in Thousands</u>
Reservation Projects	82	15,000	73	13,587
Urban, Special and off-Reservation Projects	101	11,695	90	10,678
Alaskan Natives	14	1,085	14	947
Native Hawaiians	2	1,220	2	1,078
	199	29,000	179	26,300

- consolidation of major HHS social service programs including Title XX, child welfare, foster care, rehabilitation services and community services into single, flexible block grants to the states. Funding for FY '82 is proposed to be \$3.8 billion (or 75 per cent of current funding).
- consolidation of HHS aging services and nutrition activities into a new aging authority with increased state flexibility. Funding (including transfers from the Department of Agriculture) will be maintained at the current 1981 services level.
- Head Start budget will be increased by \$130 million in FY '82 over current funding.
- Office of Indian Education, Department of Education, programs are not expected to take any cuts. The only cuts that will be made are in program administration. This amounts to \$584,000.
- Department of Education will shift to block grants by consolidating 44 elementary and secondary education grant programs. It will also limit impact aid as reported in the NEWS BULLETIN Feb. 28.

- Indian Health Services will increase from \$21 million in FY '81 to \$627 million for FY '82 for Indian Health Services. However, IHS will take a cut of \$68 million for FY '81 to \$8 million in FY '82 for Indian Health Facilities. The Indian Health Services increase is for the cost of maintaining current health services. Initial staffing and operation of 5 newly constructed hospitals and clinics will be accomplished utilizing resources within current program level.
- a two-year phase-out of the Indian Health Manpower program would be begun in 1982. This program provides scholarships and career recruitment funds for Indians pursuing health careers but represents only a small part of the Federal funds available to Indians to support such training. Under the 1982 budget, funds available for Indian health career scholarships include the Department of the Interior Indian education block grant, the Department of Education Indian education program, and scholarships available to Indians without regard to their special status as Indians. Current scholarship recipients will be funded through to completion of their studies.
- a two-year phase-out of the Urban Health program would also be begun in 1982. The Urban Health program provides referral and health care to Indians in 41 urban areas. Urban Indians will be eligible for care under alternative programs such as Medicaid and local and state health care supported by the Federal health block grants and state and local funding.
- the request of \$8 million for facilities provides for the final phase of construction for the Tahlequah, Oklahoma hospital. A rescission of \$9 million in 1981 for Indian Health Facilities construction would eliminate the funds to initiate the planning and construction of 3 new Indian hospitals and 3 new Indian clinics. These funds were added to the budget by the Congress.

The sanitation facilities construction program is discontinued in 1982. The Administration plans to cease further federally-supported Indian housing construction which eliminates the need for further funding of sanitation projects. In accordance with this decision, the \$23 million supplemental for 1981 is also being withdrawn.

- Bureau of Indian Affairs budget is reduced by \$75.9 million (6.9 per cent) for FY '82.

A new program of block grants to Indian tribes is proposed as a substitute funding mechanism for several programs now operated either directly by the Bureau of Indian Affairs or by tribal organizations or other entities under P.L. 93-638 contracts or grant arrangements. The block grant approach would provide for direct funding and significant program flexibility for tribal governments compared with current budgeting procedures and would provide "umbrella" funding for ten existing programs including supplemental educational assistance (Johnson-O'Malley), adult vocational training and education, direct employment, supplemental funding for college scholarships, housing, Indian Action Teams, self-determination grants, Agriculture Extension and Community Fire Protection. These programs presently total \$162.1 million including \$6.2 million for contract support program. By combining these programs BIA proposes a consolidated Tribal Government Program activity of \$120 million -- plus \$1.5 million for program management -- to be used as block grant to the tribes.

In line with the major reduction being proposed in many Interior programs, Secretary Watt announced, "The total amount available for tribal discretion in these programs would be less than originally budgeted, but the reduction will be partially cushioned by reducing the overhead. This approach will give tribal governments much more say in the final allocation than is traditionally the case when reductions are made on an individual program basis." Secretary Watt believes this is an important step in this Administration's partnership with tribal governments. They will truly have the opportunity to set program priorities and have the flexibility to adjust those priorities within the funding levels requested for the block grants. ...It is his hope that tribal leaders will view this as an important new opportunity for them in their pursuit of self-determination. Over \$160 million in the Bureau of Indian Affairs programs has been identified as readily adaptable to a block grant approach.

Funding requested for the combined programs totaled \$162.1 million in the January Budget. This will be reduced by about 25 per cent, or \$40.6 million. Selection of a grant to operate Bureau programs on a reservation will be at the option of the tribe concerned. Tribes which elect to receive a single consolidated grant will submit a plan for carrying out the programs, projects, functions, and services included in the consolidated activity. These plans would set forth a comprehensive description of the activities to be undertaken consistent with applicable legislative and regulatory provisions for program eligibility.

Reductions in other Indian programs include stretching out the facility repair program (\$12.7 million reduction), savings in personnel and travel (\$10.8 million), forestry (\$7 million), business enterprise development (\$1.4 million, road construction (\$3 million), and the Tribal Management Corps (\$16.9 million reduction), and phasing out general assistance payments for Alaskan Natives (\$5.7 million reduction). (Alaska currently provides general welfare assistance to all citizens except enrolled natives.)

Acting Deputy Secretary for Indian Affairs James F. Canan said, "We plan to start work immediately on distribution formulas, new guidelines and more detailed program design to implement the block grants."

- Water plan projects of Crow Creek Reservation and Western Dakota Reservations are being eliminated.

Thomas J. Gordon, chairman, Red Cliff Band of Lake Superior Band of Chippewas, has written a letter to President Reagan outlining a most comprehensive view of the Administration budget cuts. Gordon's letter is so outstanding that we have obtained his permission to attach a copy to this issue of the BULLETIN. We strongly recommend that all tribal chairmen let the President and their Congressional delegations know how they feel about the Reagan budget cuts.

AROUND WASHINGTON, D.C. AND THE NATION

Secretary of Interior James Watt stressed the need for improving methods of collecting royalties from lessees of Federally-owned "energy lands" in his address to the House Interior and Insular Affairs Committee Mar. 6. Watt stated that he "has the cooperation of the state governors, the cooperation of the Indians," and believes he will "get the cooperation of the oil companies."

At present, the Bureau of Land Management (BLM) and the United States Geological Survey (USGS) share tasks related to the management of these lands. Watt said that the collection responsibilities should be solidified, and that the USGS should be allowed to remain a "purely scientific organization" and be freed from the burden of managerial duties. He also agreed with those who suggested that a late-payment penalty be levied against those lessees who do not meet their royalty payments on time, "even if they are big oil companies."

Another Watt proposition advocates a shift in the Administration's strategic mineral policies. Instead of stockpiling minerals, Watt would like to increase domestic production, reports the Congress Daily Mar. 3. In order to do this, Interior is considering legislation to make lands "unsuitable for wilderness" available for mineral exploration.

And "The Ear" is still lending itself to James Watt. The Washington Star's Feb. 23 gossip column recounted more strife at Interior:

Clashes on the Faith Front are reported from the Interior Department, where a Groundswell of Nouveau Reverence is under way: Mormans there have taken to sporting small lapel buttons with pics of the super-spired Mormon Temple here. Ear is horrified to hear how an Interior Evangelical Christian greeted an Interior Mormon's button: 'My, isn't that nice. When did you go to Disneyland?' Come, my darlings. Play nicely. It's a long four years.

During a recent House meeting, Watt was asked why in such a short time, he has received so much press coverage. Watt smiled straight at the questioning congressman and replied, "It's my good looks."

However, Watt has won the west, according to an article in the Washington Post Feb. 16. The governors of 11 western states described themselves as "on the same wavelength" with Watt after a three-hour discussion of the region's complaints about the Federal government's role in their affairs. "I continue to be a Sagebrush Rebel," said Watt. He condoned the idea of block grants to states, and criticized the National Environmental Policy Act requirement for environmental impact statements prior to authorization of any new Federal land project. Watt termed the procedure a "tremendous waste of taxpayers' money." However, he stressed that the changes he seeks are "managerial" rather than on the order of large-scale land-ownership changes.

A Reminder. The following hearings are scheduled next month:

APRIL 1

Senate Interior Appropriations Sub-Committee
FY 1982 BIA budget
Room 1114 Dirksen Senate Office Building
9:00 A.M.
(Agency Witnesses)

APRIL 8

House Interior Appropriation Sub-Committee
FY 1982 Budget for Office of Education-Indian Education
B308 Rayburn Building
10:00 A.M.
(Agency Witnesses)

APRIL 8

Senate Interior Appropriations Sub-Committee
Overview FY 1982 Interior Budget
1114 Dirksen Senate Office Building
9:00 A.M.
(Testimony by Interior Secretary Watt)

APRIL 28 and 29

House Interior Appropriations Sub-Committee
BIA FY 1982 Budget
B308 Rayburn Building
10:00 A.M.
(Agency Witnesses)

INDIAN AFFAIRS

BIA outlined their budget needs to the House Interior and Insular Affairs Committee Mar. 5. Three major areas of BIA responsibility were cited: (1) recognition and preservation of the inherent rights of tribal self-government, strengthening of tribal capacity to govern and assistance for tribal government programs; (2) fulfillment of the Federal trust obligation to American Indian tribes and people, and (3) implementation of management improvement activities that will reinforce BIA's ability to serve Indian tribes and people. The previous Administration's proposed FY '82 budget set aside \$1,055.4 million for BIA programs.

The U. S. Court of Appeals for the District of Columbia has ruled in favor of members of the Choctaw and Chickasaw Nations who sought to have validated their 1867 constitution. A National Indian Youth Council press release claims that for almost 100 years previous to the Jan. 27, 1981, court ruling, the tribal governments had been appointing chiefs who were favorable to the Federal government, regardless of the interests of the majority of tribal members. The recent Court of Appeals decision does not reinstate the powers of the old constitutions per se, but it does affirm the right of the Choctaws and Chickasaws to adopt new constitutions which incorporate fundamentals of the old documents. The Tribes could then hold their elections under the protection of the new legislation.

NCAI's fourth mid-year conference will be held in Spokane, WA. May 27-29. Focus of this year's conference will be Tribal Sovereignty Within the United States Political System and the Tribal/Global Relations Policy. Action plans for the 80s which were adopted at last year's convention will also be discussed.

NCAI has planned a panel discussion to analyze the position of tribal sovereignty within the international community. Discussion will also take place on issues facing the 97th Congress. For information, contact: NCAI; 202 E Street, N.E.; Washington, D.C. 20002; (202) 546-1168.

Over one million American Indians and Alaska Natives now live in the U.S., according to the U.S. Census Bureau. Provisional figures released in February indicate that the Indian and Alaska Native population is 1,418,195, a 71 per cent increase over the 1970 census. However, the Census Bureau indicates that this large increase is due to "improved census-taking and a greater likelihood in 1980 that people would identify themselves in this category."

The Indian-Native Alaskan population figures accounts for six-tenths of one per cent of the total U.S. population. The total U.S. population went from 203,211,926 in 1970, to 226,504,825 in 1980, an increase of 11.5 per cent.

A bill (S. 563) to authorize states and Indian tribes to enter into mutual agreements and compacts respecting jurisdiction and governmental operations in Indian country has been introduced by Sen. Dennis DeConcini (D-AZ) and has been referred to the Senate Select Committee on Indian Affairs for discussion.

A bill (S. 545) to authorize a study of the feasibility of Federal development of water resources of the Little White River unit on the Rosebud Sioux reservation has been introduced in Congress by Sen. James Abdnor (R-SD) and has been referred to the Senate Select Committee on Indians Affairs for discussion.

Two BIA employees have become the first certified American Indian lineage specialists. The Feb. 26 issue of BIA's Indian News Notes reports that Lynn McMillion and Dorothy Sherwood, BIA genealogists, have been officially certified by the Board for Certification of Genealogists, a national association established to formulate standards for genealogy and to register persons qualified to do such research. Both women are now members of BIA's Federal Acknowledgment staff.

Native American News is seeking updates for its Native American Resource Directory. If you were included in the 1980 directory or if you wish to be included in the updated version, send the name of your organization, chief officer, address and telephone number to: Editor; Native American News; Room 350-G; HHH Building; 200 Independence Ave., S.W.; Washington, D.C. 20201.

Nomination are now being accepted for the Distinguished Woman of the Year award to be presented by the Southwest Regional Training Program (S RTP). S RTP is sponsored by a coalition of Federal agencies including the Women's Bureau and Interagency Task Force for American Indian Women, Department of Labor; the Federal Women's Program Managers; Indian Health Services and Bureau of Indian Affairs. The award will be presented to a woman who has contributed to the betterment of Indian society.

To be eligible, nominees must reside in Arizona, Colorado, Nevada, New Mexico, Oklahoma, Texas or Utah. Criteria for nominations include: exceptional initiative or creativity in developing approaches to improve services to Indians, efforts beyond the call of duty to provide personal attention to Indian needs, effective leadership in community efforts to improve health education and general welfare of Indian and special acts or services contributing to good government. For an application, contact: Dr. Siu Wong; Albuquerque Indian Health Service; 500 Gold Avenue, S.W.; Room 4005; Albuquerque, NM 87101, (505) 766-2029, or Imogene Yazzie; Navajo Area Indian Health Service; P.O. Box G; Window Rock, AZ. 86515.

The Montana Inter-Tribal Policy Board has a new newsletter. We received a copy of the first issue and found it very informative. To receive this new publication, contact: Newsletter Editor; Montana Inter-Tribal Policy Board; 711 Central Avenue; Billings, MT., (406) 245-2228.

ECONOMIC DEVELOPMENT/TRIBAL ENTERPRISE

Tribes and Federal agencies often fail to remember the Indian preference provisions of section 7(b) of the Indian Self-Determination and Education Assistance Act (P.L. 93-638). That Section states, in part:

Any contract, subcontract or subgrant pursuant to [the Indian Self-Determination Act, the Johnson-O'Malley Act, or any other Act] authorizing organizations or for the benefit of Indians, shall require that to the greatest extent possible:

- (1) preferences and opportunities for training and employment in connection with the administration of such contracts or grants shall be given to Indians; and*
- (2) preference in the award of subcontracts and subgrants in connection with the administration of such contracts or grants shall be given to Indian organizations and to Indian-owned economic enterprises.*

Indian preference not only applies to self-determination contracts and grants entered into by BIA or IHS with Indian tribes and organizations but also to any contract or grant by any government agency which benefits Indians.

And while we're on the subject of economic development . . . we'll take the opportunity to talk about our own. By now, many people connect The Clary Institute with the NEWS BULLETIN, but this is just one service we provide -- and just one of many we're capable of providing. We get far less national exposure through the projects we conduct for clients, although these activities are really the backbone of our organization.

Do you know that during the past year we have:

- designed and conducted five seminars on "Tribal Evaluation of Bureau Programs" for BIA (over 150 members of 55 Federally-recognized tribes attended)

- aided tribal chairmen in polishing testimony for presentation before Congressional committees
- written, directed and produced six films for BIA
- designed and conducted a two-day management development seminar for staff officials of the Navajo Nation
- begun a project to develop counseling materials for use with Indian people in HUD's Mutual Help Homeownership Program
- designed a monitoring instrument for BIA Indian Child Welfare Act grants and begun site visits to field test the instrument.

. . . and these are only the highlights!

TCI offers many skills and abilities to American Indian tribes; Indian organizations and state, local and Federal agencies serving Indian people. We have a Capability Statement which outlines our offerings, experience and key personnel. If you don't have a copy of this, you really don't know us. Contact me (Tom Clary), and I'll send you one -- free for the asking!

EDUCATION

We told you in the last BULLETIN that a search committee was reviewing applications for a new Deputy Assistant Secretary for Indian Education in the Department of Education. Now, it looks as if a person for this position will not be on board until at least June. This is of great concern if the Reagan Administration does not follow through with its campaign promise to abolish the Department of Education and return Indian Education to BIA. We recommend this take place as soon as possible. However, the National Advisory Council on Indian Education (NACIE) is opposed to this action, according to Dr. Michael P. Doss, its executive director.

There has been much criticism of the Office of Indian Education, particularly by columnist Jack Anderson. The Department of Education Inspector General has not finished investigating the Office, but authorities feel "things are going along pretty smoothly." We understand that most of the Indian personnel in that office left before former Director Dr. Gerald Gipp (now president of Haskell) departed. As a result, there are few Indians in the Office of Indian Education now. The Office is currently under Acting Assistant Secretary for Elementary and Secondary Education John Rodriguez. He has taken "absolute control over all OIE discretionary administrative monies," and Special Assistant Louis McGuinness is supervising day-to-day operations.

We have been told that there is no current effort for legislation to change any programs for Indian Education. However, emphasis will be on "block grants." Indian problems, an official told us, "will be addressed when Department of Education problems are addressed." The primary goal is to maintain the schedule for processing grant applications in a timely fashion. This will be difficult with so many new people on board.

The General Accounting Office (GAO) is now investigating if there is a duplication between Johnson-O'Malley (JOM) funds and Title IV education monies. Education officials see a broader problem of policy coordination between Education and BIA, particularly when Resident schools are targeted for closing which will affect Impact aid and other resources of Education. As within most departments and between Federal agencies in Washington, coordination is TERRIBLE.

The "definition of Indian" study (now about a year overdue to Congress) is still awaiting action by the Secretary of Education. We could not get any kind of target date for when recommendations would be sent to Congress from the Department of Education, Office of Planning and Program Evaluation. However, other officials have said that Department of Education is using the definition as provided by the statute so as many youngsters as possible can receive services. This is a "slap in the face" to tribal sovereignty. Unfortunately, Department of Education and NACIE are furthering this confusion by not acting on a government-to-government basis with tribes as promised by President Reagan but rather continuing to accord all Indians minority status.

If you want this "education mess" straightened out, you had better remind the President of his campaign promises (TCI NB, Sept. 30, 1980) with copies to Secretary of Education Terrel Bell, Washington, D.C. 20202; Sen. Robert Stafford, chairman, Education Subcommittee; Rep. Carl Perkins, chairman, House Education and Labor Committee, and your own senators and representatives.

Four new Indian Education Resource Centers have been established under grants from the Department of Education. They are located in Washington, D.C.; Great Falls, MT; Seattle, WA; and Norman, OK. Each Center will help Indian tribes and groups focus on learning problems of the disadvantaged from early childhood through adult education. Initially, the Centers will provide technical assistance to local grant recipients and to Indian parent committees.

The National Center for Educational Statistics foresees an improved outlook for teaching. According to a report entitled "New Teachers in the Job Market," the job outlook for newly trained teachers should improve in the 1980's. This study is based on the 1978 Survey of 1976-77 College Graduates. It compares the job status of these graduates with that of graduates two years earlier. It also examines how newly trained teachers fare in the job market compared with other bachelor's recipients and projects

the availability of teaching jobs in the 1980's. Copies are available for \$2.25 each from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20202. Ask for stock order number 065-000-0078-4.

EMPLOYMENT

A CETA hiring freeze has been announced to 133 Indian CETA grantees. The 60 urban Indian CETA grantees do not have Title II and VI money and are not affected as yet. However, our guess is that all CETA is destined for the graveyard.

The Reagan Budget axe cuts deeply into Small Business Administration (SBA) programs to help minorities and women. The separate women's business enterprise program will be eliminated (\$6.4 million savings). Technical assistance for socially and economically disadvantaged business owners (8(a)) will be cut from \$12 million to \$10 million. Funding for business development expenses for 8(a) firms will also be reduced from \$24 million to \$20 million. Small Business Development Centers in 5 or 6 universities around the country will be eliminated. Equal opportunity loans to 8(a) firms will be reduced from \$135 million to \$117 million for FY '81 and to \$95 million in FY '82.

ENERGY

1980 was the best year ever for the government to collect royalties from the production of oil, gas, coal, potash, sodium, and other minerals found on Federal and Indian lands. Department of Interior estimates put 1980 revenues at over \$2.8 billion, representing an increase of \$697 million over the 1979 amount. Approximately \$191 million of the \$2.8 billion came from oil Windfall Profit Tax revenues.

HEALTH AND HUMAN SERVICES

The Women, Infants and Children program (WIC), according to new Reagan Budget, would be reduced by one-third current monthly caseloads. The FY '82 WIC appropriations request was reduced to \$742 million. Under the Reagan proposed funding level, only high priority recipients (pregnant or breast-feeding women and high risk infants) would continue to be served.

Secretary of Health and Human Services Richard Schweiker defended the Department's controversial budget cuts in the Feb. 26 Congress Daily. Schweiker announced the following proposed budget modifications:

- use of the Internal Revenue Service to collect delinquent child support obligations;
- collection of alimony owed to the parent with whom a child is living as a way of reducing the costs of Aid to Families with Dependent Children (AFDC) program; and
- considering the income of step-parents as a factor in determining the eligibility of their stepchildren for the AFDC program.

Schweiker also stated that the Administration may allow the states to move as much as 10 per cent of the allocated funds from one block grant program to another in order to meet the needs of individual states.

National Indian Health Board Executive Director Jake White Crow will request an increase in the IHS budget. White Crow has advised us that in his testimony before Congress, he will ask for \$64.5 million more than former President Carter had proposed. He said NTCA and NCAI executive directors had authorized him to "throw his weight" behind these recommendations.

"The 1980's: A Decade of Indian Health Initiatives," is the theme of the fourth National Indian/Alaska Native Health Conference to be held in San Diego, CA., Apr. 7-10. In addition to speeches and presentations by Reagan Administration representatives and health authorities, the conference will include workshops on the Mental Health Systems Act, Health Maintenance Organization Act, IHS budget process, community health concerns, alcohol and drug abuse, emergency services and Indian youth and elderly. Panel discussions will focus on subjects such as "Traditional Indian Medicine and Holistic Health" and "Issues and Answers to the Indian Self-Determination and Education Assistance Act." For further information, contact: John O'Connor, National Indian Health Board, P.O. Box 10425, Denver, CO. 80210, (303) 752-0931.

Medicine men receive up to \$400-worth of medical treatment per year per family under a Mine Workers' contract at two of Peabody Coal's Arizona mines, reports The Wall Street Journal Mar. 10. An agreement reached during February raised the medicine-man medical benefits from \$250 per year, an increase of 60 per cent. Of 900 miners employed at Peabody, 700 are Indians, and most of these are Navajos.

Third Annual Indian Child Conference is scheduled for May 17-21 in Albuquerque, NM. The theme of this year's conference will be "The Indian--Family Foundation for the Future." For more information, contact: Barbara Schnier, National Indian Child Conference, 137 South MacDonald, Suite 38, Mesa, AZ 85202, (602) 969-7138.

HOUSING

HUD is planning to discontinue new housing unit allocations to IHAs with excessive delinquent rental accounts, reports the Montana Inter-Tribal Policy Board Newsletter March 1981. The strategy is an effort to reduce IHA Accounts Receivable in HUD Region VIII, which comes under the jurisdiction of the HUD Denver Office.

LAND/ENVIRONMENT

EPA's National Water Conservation Conference on Publicly Supplied Potable Water will be held Apr. 14-15 in Denver, CO. Topics will include day-to-day water management experiences, East vs. West, consideration of supply vs. demand management, and the interaction among state and local water management and Federal programs that supply assistance and incentives for water conservation. State-of-the-art demonstrations of water conservation equipment will be presented. For information, contact: National Water Conservation Conference, c/o Enviro Control, Inc., P. O. Box 827, Rockville, MD 20851, or call Gail Cioban or Sheri Marshall, (301) 468-2500.

"Guide to Decisions of the Interior Department on Indian Lands," by James R. Young, is a new publication available from the American Indian Studies Center at UCLA. This publication compiles chronologically numerous Interior Department administrative decisions relating to the disposition and control of Indian lands. Decisions are compiled in five forms: instructions, circular letters, regulations, opinions and cases spanning the years 1801-1979. The Guide also details how the Interior Department played an active role in administering its trust charge to American Indians. For a copy of the two-volume set, write: American Indian Studies Center, University of California, Los Angeles, 3220 Campbell Hall, Los Angeles, CA 90024. Cost is \$10.00.

TRIBAL ADMINISTRATION AND FINANCE

Indian businessmen to organize. According to a report in the Manataba Messenger Mar. 6, NCAI is facilitating and supporting the formation of a National Businessmen's Association to supply information and monitor enforcement of the Indian Preference Law. Ed Driving Hawk, president of NCAI has said that Indian Preference for Federal contracts and employment has been largely ignored by Federal agencies. There are over 4,250 Indian businessmen in the United States who are rarely given preference. The seminar will be held March 26-28 at the Marina Hotel, Las Vegas, NV. All tribally-owned business representatives and businessmen are strongly urged to attend. The meetings will focus on defining the purposes of the organization, on drafting an organizational charter and election of officers. For further information, contact: NCAI, 202 E. Street, N.E., Washington, D.C. 20002, (202) 546-1178.

A second consecutive year of high earnings is reported by the American Indian National Bank (AINB). AINB has announced that earnings for calendar 1980 increased to \$457,957 from \$421,541 in 1979. Deposits and shareholders' equity also rose significantly. Improvements in earnings are attributed to higher interest rates on the investment portfolio, capital gains from the sale of securities and an increased yield on the loan portfolio. An improvement of 39 per cent in deposits is attributed to new deposits made by Indian tribes and organizations. AINB offers these groups specialized depository, lending and investment services, including interim financing for letters of credit, loans for tribes and tribal enterprises and higher rates of interest paid to tribes on certificates of deposit and other investments.

A general management course for employees of tribal governments and Indian organizations is to be offered by the Southwest Regional Office of Personnel Management, Mar. 30 - Apr. 3 at the Regional Office, Dallas, TX. Topics include: introduction to management principles; role and function of management; planning, motivation, and effective communication; leadership development, decision making, stress management; supervision, and on-the-job training. Organizations desiring to send representatives should send an official notice before Mar. 23 to: Frank McLemore, coordinator, Native American Assistance Program, 1100 Commerce Street, Dallas, TX 75242, (214) 767-8211.

Bacone College Native American Information Center has lists of interest to Indian businesses, organizations and publications, reports the Human Development News Feb. 1981. Lists include items such as a compilation of names, addresses and telephone numbers of 279 Federally-recognized tribes;

a list of 75 television stations with large populations of Indian viewers; a run-down on 45 Indian-interest organizations operating on a national level, and a listing of 50 Federal agencies serving Indian people. The Information Center also has other materials including data on Title IV Indian education programs, foundations which make grant awards to Indian interests and opportunities for Federal employment. The Center also offers an Indian Awareness Test. For information, contact: Native American Information Center, Bacone College, Muskogee, OK 74401.

Phoenix Area tribes or Indian organizations: if you want your celebrations, pow-wows, tribal dances and other scheduled events listed in a calendar for BIA's Phoenix Area, contact: Phoenix Area Public Information Office; P.O. Box 7007; Phoenix, AZ 85001. Single copies of the calendar are free and available from the same address.

Until next time . . .
May the Great Spirit Guide You!



Thomas C. Clary, Ph.D.
President
The Clary Institute



Erica W. Clary
Chairman/Director
The Clary Institute



The Clary Institute

ERICA W. CLARY
CHAIRMAN-DIRECTOR
THOMAS C. CLARY, Ph.D.
PRESIDENT-DIRECTOR

NEWS BULLETIN FOR INDIAN LEADERS
Complimentary Copy

VOLUME III, NUMBER 4

February 28, 1981

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Hello, My Friends . . .

A lot of talk is going around about a "Honeymoon" for the Reagan Administration. Our greatest fear is that there will be no "honeymoon" for the new Assistant Secretary for Indian Affairs and his assistants. We understand that even before the official nomination of Ken Smith as assistant secretary, he was given marching orders by Secretary of Interior Watt and was on his way to briefings. We must admit that all the enthusiasm we had as this Administration entered is being reduced quickly.

We look at the Bureau of Indian Affairs, Indian Health Service and Administration for Native Americans and we see BUSINESS AS USUAL. We see CETA, EDA and perhaps CSA going down the drain. HUD is in a hopeless mess, and if block grants come in as expected, the tribes are going to have to fight for every cent they get. Farmers Home Administration and other USDA projects (food stamps, nutrition programs, etc.) are to be phased out. The Office of Indian Education in the Department of Education is hopeless. Its activities, programs, budget and personnel should be immediately transferred to BIA.

We see the Administration (Dave Stockman and the OMB crew) looking for CUTS! CUTS! CUTS! But we don't see them asking logical questions about how cuts

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can be made across the government bureaucracy while still bringing more effective services to people who need and deserve them.

We are not convinced that the Administration (White House staff and Departments) understand sovereignty and the special relationship between the Federal government and Federally-recognized tribes. We strongly believe in the real needs of disadvantaged and poor urban Indians and members of non-Federally-recognized tribes -- BUT these individuals are in the same category as other minority and ethnic groups.

Federally-recognized Indian tribes and Alaskan Natives are sovereign governments. President Reagan, during his campaign, promised every effort to make these governments self-sufficient through self-determination (Public Law 93-638).

Our pessimism comes from talks with various officials, the refusal of others to talk and our observation of actions within the White House, Congress, OMB and the Departments dealing with Indian affairs. We would like to believe that things are going to change, but we see the bureaucrats digging in their heels of protection. Newly-appointed officials have great expectations of doing good works, but many are totally unprepared for the onslaught of the "powerful tribal leaders," their lobbyists, Congress and their special interests and old-time bureaucrats who know how to confuse the issues, plan delaying tactics and frustrate political appointees to the point of inaction.

Tribal leaders have been saying to us: "I don't care what happens -- just give us change." We hate to be the bearer of bad tidings, but there will be little, if any, change. There will be rhetoric on change, even attempts at change, BUT THERE WILL BE NO BIG CHANGE.

At BIA, the "Old Boys' Club" will overpower the new Assistant Secretary and the management skills he displayed at Warm Springs. Soon, he will be lost in a morass of garbage between special interest groups, Congress and bureaucrats. Oh, he'll try to change things -- but just watch the road blocks go up. It takes an old-time Washington pro to dig through these barriers, and even a pro would have difficulty. Self-determination (P.L. 93-638) is good political rhetoric, but we'll believe there is real commitment when we see results.

The Education Division of BIA is poorly managed and a disgrace to Indian people. Its problems are second only to the Office of Indian Education in the Department of Education. This needs to be changed from top to bottom. We don't mean there aren't some good, dedicated people in either of the agencies. But they are contaminated by the leadership and current policies.

IHS is not going to change. We personally like Dr. Emery Johnson. He's probably as good a director as could be found. However, IHS is off on a tangent. It has failed under HHS and should be returned to BIA. Much money could be saved by forcing BIA and IHS to consolidate many of their activities: "638" contracting, training and technical assistance; planning; budgeting; area functions; administration. And then, BIA/IHS could be forced to integrate

holistic human services functions for all Indian people. Both have the same Congressional oversight and appropriations committees.

At the same time, CSA Indian projects and ANA projects should be transferred to BIA. Today, much duplication of effort and waste of taxpayers' money is resulting in no coordination of services to Indian people.

HUD is a disgrace unto itself, according to Congressional committee reports. Nothing is being done to coordinate Indian projects between various divisions of HUD. And less than nothing is being done to coordinate HUD Indian housing activities with BIA and FmHA, USIA.

HHS provides many social services such as Title XX welfare programs, aging and others to Indian people. Like HUD, HHS may well go to bloc grant programs, turning their programs over to states. It is time to identify the BUREAU OF INDIAN AFFAIRS as the 51st state for services to Indian people. Tribal governments are not and should not be subservient to state governments. If this is forced on tribal governments, they will find themselves left out as they were in LEAA programs, recently. CETA and EDA will die. The Indian projects of these agencies should be recovered through aggressive action by BIA.

We were never able to educate the Carter Administration fully on what tribal sovereignty and self-determination are all about. We hope the Reagan Administration is more educable. This means Martin Anderson, James A. Baker and David Stockman, the President's Domestic Affairs Advisor, Chief of Staff and Director of OMB. If they do not learn, "God help the tribes." Tribes may be an endangered species, and we don't expect Watt to have much interest in the darter snail on Indians, particularly if they interfere with Big Oil, Big Coal, Big Uranium and other Big Corporations (sometimes called "Western Pioneers").

A friend of ours warned recently, "The Rapers and Plunderers have arrived." Being optimists, we didn't want to believe it. It is imperative now that the tribes be cautious on every side. CUSTER MAY HAVE RETURNED!

Tribal leaders appeared before Appropriations Committees even before President Reagan delivered his economic message to Congress Feb. 18. The President is seeking over \$41 billion in cuts in the FY 82 budget. The Senate Budget Committee says they would like to add another \$10 billion in cuts, while House Democrats are predicting \$30 billion in cuts without a tax reduction.

How does this affect tribes? The answer is not clear yet as the Administration's final budget will not be sent to Congress until Mar. 10. Therefore, we can only take some hints from the President's message and some from speculation among those working on the budget. Look for these cuts to affect tribes and Indian people, if Congress approves the Reagan budget package:

- elimination of "minimum benefit" social security payments where recipients have only made spotty contributions.

- elimination of social security payments to adult students.
- aid to Families with dependent children and other welfare programs establishing a new poverty level and counting income of step-parents.
- reduction in level of additional subsidized housing. (HUD is not expecting a reduction in Indian Housing, but there is speculation that all sanitation facilities will be wiped out of the Indian Health Service budget. There may be a lack of understanding among OMB staff of the fragmentation of the Indian Housing Program.)
- reduction in Farmers Home Administration direct lending activities.
- rescinding of remaining FY 81 appropriation for Economic Development Administration and elimination of funding in FY 82.
- elimination of solar energy development.
- reductions in fossil energy research and development.
- reduction of energy conservation programs including transfer of Energy Department's weatherization assistance into HUD community block grant program.
- phasing out of public service jobs under Comprehensive Employment and Training Act (CETA) by Sept. 30, 1981. This includes a hiring freeze immediately.
- acceleration of leasing of mineral resources on Federal lands (not Indian reservations or tribal lands).
- reduction of school assistance in Federally-affected areas (Impact Aid). Only school districts entitled to benefits will be those in which at least 20 per cent of the children's parents (1) work and (2) live on Federal property (primarily Indian reservations and a few military bases).
- reduced funding for Vocational Education. (See Education Section on disadvantaged programs being funneled into block grants).
- termination of HUD Planning Assistance Program.

- termination of Young Adult Conservation Corps (YACC) by end of 1982 and termination of Youth Conservation Corps (YCC) in 1981.
- consolidation of all or part of over 45 separate Federal and secondary education programs into two "block grant" programs -- one to states and one to local education agencies (LEA's).
- consolidation of about 40 Federal grants for health and social services into one or more block grants to states. (We are told that Administration for Native Americans, Aging and Head Start programs will be exempt from block grants. We also hear that transfer of all Community Services Agency functions into HHS is being considered.)

We keep asking how "block grants to states will apply to tribal governments. So far, there are NO ANSWERS. We urge you to contact the President, Vice President, OMB, Cabinet officials and your Congressional delegation to ensure tribal governments are not included in state grants. One answer, if grants cannot be given directly to tribes, is to declare the BUREAU OF INDIAN AFFAIRS AS THE 51st STATE FOR BLOCK GRANTS TO TRIBAL GOVERNMENTS.

Speculation has it that BIA is going to be cut by about \$70 million. This will include:

- elimination of Johnson-O'Malley funds, since it is a duplication of Title IV.
- a cut of \$9 million in direct employment through the Employment Assistance Program.
- cut of \$10 million in Federal Facilities Repair.
- elimination of financial assistance to Alaskan Natives and shifting of responsibility to State of Alaska.
- phasing out of Business Development Program (down to \$1 million in 1982 and then termination).
- a cut of \$10 million in BIA salaries (approximately 500 positions).
- a cut of \$2.5 million in BIA travel.

We can't get a breakdown on cuts, but we hear that there will be a cut of \$150 million in the Indian Health Service. This will probably mean no new

construction starts. The government-wide hiring freeze does not affect positions for direct medical care, according to President Reagan's message, but apparently HHS has not given the go-ahead to IHS as yet, so critical medical positions are not being filled.

Richard Williamson, 31, has been given the job of Assistant to the President for Inter-Governmental Affairs. One of his first tasks was to speak to a meeting of the National Governors Association. Williamson met last week with the new President of the National League of Cities, who is also the mayor of Indianapolis. He said "a higher priority" than in the past is being given to the National Conference of State Legislatures because "philosophically, state legislators are our kind of people."

He also said he would seek "an open dialogue" with big-city mayors in the U.S. Conference of Mayors. I am sure he will include the National Association of Counties members since they, along with all the groups mentioned, have met with the President.

What's missing? NO TRIBAL GOVERNMENT GROUP pushing for tribal chairmen to meet with the President or for representation in Williamson's office. TCI has communicated this to Williamson, and an assistant tells us he's considering it.

Why poor representation of tribal governments? We feel there are too many Indian public interest groups, and not one of them is a true voice of tribal leadership. RESULT: White House and others ignore tribal governments.

On Feb. 23, a reception for members of Congress involved in development of national Indian policy was given by these public interest groups: Council of Energy Resource Tribes, Native American Rights Fund, National Congress of American Indians, Americans for Indian Opportunity, National Tribal Chairmen's Association, American Indian Bar Association, National Indian Education Association, National American Indian Court Judges Association, Institute for the Development of Indian Law, North American Indian Women's Association, American Indian Lawyer Training Program and American Indian Society. There are many more Indian public interest groups which did not participate.

OUR THOUGHT: If all these groups formed into ONE ASSOCIATION (perhaps the National League of Tribal Governments); what a POWERFUL, UNIFIED VOICE tribal governments would have in Washington. The side effects would be: that Washington bureaucracy would know who they could speak to on Indian issues, savings of administrative and overhead costs would be realized, combining executive and professional skills would be possible, coordination of technical skills to prevent duplication could be effected, competition could be eliminated between these groups and with tribes for grants, more money could go to tribes through increased savings -- and more! more! more!

Talk and tidbits heard around the Indian public interest group-sponsored reception for Congressional members last night.... Ken Smith feels that "for a number of reasons, this is a very positive time to come on board the new Administration " ... Members of the Republican National Committee munching on olives and sipping white wine: "we want to make the Party more attractive to Native Americans."

Department of Energy official responding to the question of "what folks are doing in your shop now that the plan for the new budget is out?" ... "Looking for a job." He takes another drink and continues: "It's so different down there now, the feeling in the whole place has changed....All of a sudden, they're making you wear your little badges. You know, the ones that hang off your shirt pocket with your face on them....They never made you do that before, but they do now, even though by now everyone knows everyone else....It's kind of like wearing skirts at Interior."

National Low-Income Housing Coalition expressed concern over the lack of programs for Urban Indians: "Did you know that in the 1970 census, Indians were the largest minority in Minneapolis, Minnesota?"

Relieved CERT staff member, surveying the full, happy, noisy room: "This is wonderful! So many people came, and the Senators came, and the Post is here taking notes...It's interesting, though, that the Democrats didn't come...there are three people from the Republican party here and the Democrats cancelled out." Much discussion with many people over Democrats going to ground during these early days. Not a very good policy, seemed to be the general consensus. "A strong offense is the best defense" said one guest.

Chatting with Robert J. Nordhaus, the Albuquerque attorney for the Jicarilla-Apache case (which goes to the Supreme Court Mar. 30): "I think we have a pretty fair chance of winning...I'm only allowed four seats in the spectators' gallery, you know, and so I called up the clerk of the court and said 'You've got to help me out; the whole tribal council wants to come and I don't have enough seats for them,' and the Clerk of the Supreme Court says to me, 'Oh, that's all right, I'll find some way to get them in; I always do; I'm afraid of the Indians.'" We left at 8:15 P.M., at which time the party was two-and-a-half hours old and still going strong.

AROUND WASHINGTON, D.C. AND THE NATION

President Reagan has named four more to sub-Cabinet positions. They are:

Ray Arnett Assistant Secretary of
Interior for Fish, Wildlife
and Parks

John B. Crowell Jr. Assistant Secretary of
Agriculture, Natural
Resources and Environment

Carol E. Dinkins Assistant Attorney General,
Land and Resources Division

William Gene Leshner Assistant Secretary of
Agriculture for Economics

However, Reagan's hopes for speedy changes are being hampered by continued vacancies, according to a report in the Wall Street Journal Feb. 20. Since the Inauguration, only half the top 200 positions have been filled, thus hampering efforts of various government agencies to continue on a routine basis. There are major issues confronting some departments, and these cannot be dealt with until the positions are filled. White House Chief of Staff James Baker has "lit a fire" under Personnel Chief Pendleton James for faster action.

President Reagan plans to divide the Cabinet into six working groups, according to a report in the Washington Post Feb. 15. The draft plan calls for six councils with the following memberships:

- Economic Affairs, to be chaired by the treasury secretary and to include the secretaries of Commerce and State, chairman of the Council of Economic Advisors and director of the Office of Management and Budget (OMB).
- Commerce and Trade, chaired by the commerce secretary and including the secretaries of Treasury, State, Agriculture and Transportation plus the President's special trade representative.
- Human Resources, to be chaired by the Health and Human Services secretary and include the secretaries of Labor, Agriculture, Education and Housing and Urban Development and the attorney general.
- Natural Resources and the Environment, to be chaired by the Interior secretary and include the secretaries of Agriculture, Transportation, Energy and Housing and Urban Development.
- Food and Agriculture, to be chaired by the Agriculture secretary and include the secretaries of Interior, Commerce and Transportation plus the special trade representative.

- The National Security Council (already established by law to be chaired by the secretary of State and include the secretary of Defense, CIA director and chairman of the Joint Chiefs and Staff.

Secretary of Education Terrel H. Bell has been overruled by Reagan budget-makers in response to recent cuts, according to the Washington Post Feb. 21. The Reagan Administration will ask Congress to let \$4.6 billion (used for educating the handicapped and poor children) be spent in the future for whatever purpose the states and local authorities choose. This could eliminate many Federal programs now in existence to help disadvantaged children.

White House Press Secretary James S. Brady is a hard man to pin down, according to the Washington Post Feb. 15. Brady is under heavy criticism from both the White House and Press Corps for inaccessibility and disorganization. His deputies, Larry Speakes and Karna Small, are doing even worse. Small's first solo briefing on Feb. 11 was more like oral surgery than a press briefing. The Post quotes Brady as saying, "I have found it hard to find time to be press secretary," but, added the new appointee, the day will surely come when "I will, indeed, be able to return all telephone calls."

Rep. Manuel Lujan (R-NM) told a joint session of the New Mexico House and Senate that the presidency of Ronald Reagan will mean an attitude of "cooperation, not confrontation" toward the West, according to a report in the Albuquerque Journal Feb. 11. Lujan told members that he had met with Interior Secretary Watt to discuss western concerns and was assured by Watt that the agency will exercise its responsibilities in complete recognition "of the vital role of the states in the Federal system." The department is also committed to freeing lands that can be used by local communities. Lujan went on to say that "the raid by the Federal government on lands in the west must stop. It is one thing to create wilderness areas out of lands that are currently in the Federal domain, but it is another thing altogether to condemn private or state lands for Federal use. It is also essential that states play a partnership role in seeing that they get their rightful share of royalties from oil and gas production."

Interior Secretary Watt has come under attack again, according to a report in the Washington Post Feb. 21. This is as a result of his apparent disregard for his promise to avoid involvement in cases linked to his private law practice by ordering a halt last week to regulatory actions that could adversely affect former clients who receive large Federal irrigation subsidies in the west. However, Interior Department Attorney Moody Tidwell rejected the notion that Watt's

involvement constituted a conflict of interest since Acting Deputy Assistant Secretary David Russell signed the order. Rep. George Miller (D-CA) said he would work to have Watt called before the House Interior and Insular Affairs Committee to explain his action.

Anything "the Ear" can hear about "Interiormeister Watt" it can tell and probably will. The newest installment of "juicy tidbits" in the Washington Star's reputedly accurate gossip column recounts rebellion at Interior with regard to les dames and les legs. As "Ear" tells it:

"...Secretary Watt's demand that les dames sport skirts instead of pants had a Profound Effect on the Lady Lawyers there. Every single one sailed in the morning after his ultimatum, sporting the Forbidden Trews. "I hardly ever wore pants," beamed one, "But now I wear them all the time." ...Meanwhile, GSA whizzed out a flashy wee four-color pamphlet, dubbed "Staying Warm"....Women should sport sweaters and pants. And Secretaries of the Interior should wear a kilt, nylons, and simple black pumps. Ear actually made up that very last morsel. It's allowed to do that on Official Government Holidays, you know."

And for the latest Bon Mot in the Continuing Saga, considered this in the Feb. 23 Washington Star:

"Ear was flattered to hear what happened to its Hot Item about Interior Secretary James Watt ordering the Department's womenfolks to sport skirts. (Remember? All the lady lawyers stamped in the next day trousered to the toes?) It was picked up and reprinted in Interior's Daily News Summary, a multi-page publication carrying News of Note to Interiorists. Ear is not, however, flattered to hear what happened then. Interiormeister Watt spotted it. Ear's item was ordered Expunged. Every single Summary was whizzed back to the Summary office, ripped apart, slapped back together again sans Ear, then whizzed out again. Shucks."

INDIAN AFFAIRS

Former Assistant Secretary for Indian Affairs Thomas Fredericks rescinded the Martinez policy as one of his last actions before leaving office, according to Indian Affairs Newsletter, Jan. 28. The Martinez Policy, which some

tribes opposed as an infringement on tribal self-government, stated that the Supreme Court's Martinez decision of 1978 "clearly placed the responsibility and the authority for enforcement of the Indian Civil Rights Act on the tribal governments." It went on to say, however, that the Interior Secretary "would be derelict in his duty as representative of the Federal government . . . if he had knowledge regarding clear violations" of Indian Civil Rights Act by a tribal government and did not do what he could to "bring about corrective actions."

The policy authorized "corrective actions" at the discretion of the Commissioner or Assistant Secretary, such as cutting off Bureau funding or withdrawing Federal recognition in cases where tribal government violated civil rights.

Wyman J. McDonald, a member of the Flathead tribe, has been appointed superintendent of BIA's Northern Idaho Agency at Lapwi, ID. McDonald had been superintendent of the Fort Hall Agency, ID., since 1976. He is 42 years old and an ex-Marine, as well as a graduate of the University of Montana.

Whaling quotas are angering Eskimos, according to Indian News Notes Feb. 12. A proposal that would eliminate whaling in two Alaskan villages by 1983, has caused anger among North Slope Eskimos. Under quotas proposed by the National Oceanic and Atmospheric Administration (NOAA), Eskimos would be permitted 17 whales landed or 25 struck in 1981, with numbers declining to 13 landed and 25 struck in 1983.

The 5,000 natives in nine North Slope villages are the only people in the world allowed to hunt bowheads under international law. The quotas for individual villages are based upon population and historical takes. According to government estimates, there are only about 2,000 of these whales left. However, figures compiled by the Alaska Eskimo Whaling Commission show the whale population to be closer to 5,000.

The Maine Department of Indian Affairs (DIA) has come to an end, according to a report in the Wabanaki Alliance February 1981. After 15 years, the Department has ceased to function as a result of the settlement of Maine Indian land claims, Federal recognition of the Penobscots and Passamaquoddy and a host of BIA programs that were combined to replace and eclipse the Maine Department of Indian Affairs. Prior to their Federal recognition, these tribes were considered "state Indians," and Maine was responsible for their welfare.

Montana Inter-Tribal Policy Board to conduct tribal issues forum. A tribal issues forum entitled "The New Administration and its Impact on Indian Tribes" is scheduled for March 3 at the Sheraton Hotel in Billings, MT. This

forum is a joint effort involving Montana and Wyoming tribes, and is the first activity of its kind in that area. The morning session will consist of scheduled keynote speakers from the Department of Interior, NCAI, Senate Select Committee on Indian Affairs, Montana Congressional delegation, Montana Governor's office and the Montana State Legislature. The afternoon session will consist of presentations from various organizations on alcohol and drug abuse, economic development, education, health and human services, natural resources, social services, and law and order/jurisdiction. For more information contact: Clayton Small, director, Montana Inter-Tribal Policy Board, 711 Central Avenue, Billings, MT. 59102, (406) 245-2228.

The House Interior and Insular Affairs Committee has begun work for the 97th Congress. Here are some of the Indian issues facing the Committee:

- Budget oversight
- Eastern Indian land claims settlements
- Papago (AZ) Indian water claims settlements
- Fishing rights in the Pacific Northwest and Great Lakes
- Amendments to the Indian Judgement Distribution Act
- General land consolidation/fractionated heirships
- Tribal restoration bills
- Indian Finance Act amendments
- Tribal-State compacts
- Oversight of the Alaska Native Claims Settlement Act
- Oversight of Reservation Economic Development

Just a reminder. The following Committee hearings are scheduled for the month of March:

MARCH 2-3:

House Appropriations Subcommittee on Interior*
Indian Health Service
B308 Rayburn Building
1:00 P.M. March 2, 10:00 A.M. March 3
(Agency Witnesses Only)

MARCH 6:

House Appropriations Subcommittee on Interior
Interior Department FY 82 Budget Overview
B308 Rayburn Building
10:00 A.M.
(Testimony by James Watt)

MARCH 5:

House Interior and Insular Affairs Committee
Oversight Hearings on BIA and IHS FY 82 Budget
1324 Longworth Building
9:45 A.M.
(Agency Witnesses and Indian Representatives)

*Contingent upon HHS Secretary Richard Schweiker's appearance prior to those dates.

MARCH 10:

Senate Appropriations Interior Subcommittee
Indian Health Service
1318 Dirksen Building
9:00 A.M.
(Agency Witnesses)

MARCH 26:

Senate Appropriations Interior Subcommittee
Indian Programs
1114 Dirksen Building
Time: to be announced
(Non-Indian Outside Witnesses)

APRIL 1:

Senate Appropriations Interior Subcommittee
BIA FY 82 Budget
1114 Dirksen Building
Time: to be announced

ECONOMIC DEVELOPMENT/TRIBAL ENTERPRISE

Secretary of Interior Watt is meeting Feb. 25 with State Governors to discuss methods of improving the monitoring and accounting system related to the collection of nearly \$4 billion in royalties from oil and gas leases on Federal and Indian lands. In calling the meeting, Watt noted that the Interior Department and the FBI are currently conducting a criminal investigation of oil thefts on the Wind River Indian Reservation, Wyoming. Watt told the governors, "I will be seeking a similar meeting with the elected leaders of Indian tribes affected by the royalty question." If your tribe is an energy-producing tribe, write or call the Department of Interior NOW and say you want to be included in the consultation process.

Dates for specific topics of the Farm Bill Hearings have been announced by the U.S. Senate Committee on Agriculture, Nutrition, and Forestry:

- March 2: Members of Congress, general farm organization,
all-day session.
- March 3: Wheat, morning session.
- March 4: Feed grains, afternoon session.
- March 5: Cotton, morning session.
- March 6: Sugar, morning session.
- March 9: Soybeans and rice, all-day session.

March 10: Peanuts, morning session.
March 11: Dairy, all-day session.
March 12: General, morning session.
March 13: Livestock, morning session.
March 16: Food Stamp Program, all-day session.
March 17: Food Stamp Program, morning session.
March 19: Rural Development, morning session.
March 20: Conservation, morning session.
March 23: Agricultural exports and the P.L. 480 Program (Food for Peace), all-day session.
March 24: Research and Extension, morning session.
March 25: Secretary of Agriculture and USDA witnesses, all-day session.
March 26: Forestry, morning session.

M. Michael Cardenas has been nominated as administrator of the Small Business Administration (SBA). Cardenas is a partner in the public accounting firm of Fox & Company, San Francisco, CA.

New sources to help tribes and Indian businesses are needed with budget cuts in economic and business development. We have tied in to a group we think may interest you. They have been successful in finding new financial sources for venture capital not usually available from banks. This group assists clients in developing financial packages including business plans and sources of financing. For more information, contact: Joe or Marsha Marinich, Future Enterprises Inc., 1522 K Street, N.W., Suite 1100, Washington, D.C. 20005 (202) 393-2420.

EDUCATION

We hear that Deni Leonard is a leading candidate for deputy assistant secretary for Indian education at the Department Education. Leonard, an enrolled member of the Confederated Tribes of Warm Springs, was formerly a professor at the University of California, at Berkley, and at Stanford University and is now a private consultant in San Francisco, CA. We know Deni and support him for this position. We only hope that he gets it and then takes the Office of Indian Education back to BIA where it belongs. As of this date, 41 people have applied for the position.

A vocational education agreement has been signed, according to the Indian Affairs Newsletter. Before leaving office, former Assistant Secretary of Education Daniel Taylor and Tom Fredericks signed an interagency agreement to

establish common and individual duties of the Interior and Education Departments under the Vocational Education Act of 1963. That Act requires the Education Department to set aside one per cent of its vocational education appropriations for Indian tribes and organizations. Under this agreement, the Education Department will administer the program, which includes judging application from Indian tribes, while the Office of Indian Education Programs (OIEP) will review the applications prior to the Education Department review to determine whether an applicant is Federally-recognized (or a sponsored Federally-recognized tribe). The OIEP will also review applications to ensure that this program does not duplicate funding provided under Interior Department programs. The two departments have planned to evaluate Indian vocational education programs together. They will also jointly provide technical assistance to prospective applicants for funding.

Four individuals were named to the Indian Education Advisory Council by former President Carter before he left office: Bobby Bighorse, director, Willard Arts Education Program, Oklahoma City, OK.; Nadine H. Chase, administrator, Leech Lake Business Committee, and chairman, Board of Regents, Chippewa Community College, Bena, MN.; Gregory W. Frazier, chief executive, National Urban Indian Council, Denver, CO.; and Danny Kevin Marshall, Puyallup, WA.

The National Advisory Council on Indian Education will meet Mar. 6, at Arizona State University, Room 302F Farmer Building, Tempe, AZ. 85281. The Council will discuss its 1981 Annual Report. The meeting is open to the public.

The Department of Education has announced the award of grants to improve American Indian education, reports the Native Nevadan Feb. 6. Total awards of \$22.6 million in 164 grants was made under the Indian Education Act for the 1980-81 academic year.

Members of the Plains Indians tribes are needed for a series of summer program at the Plains Indian Museum of the Buffalo Bill Historical Center, Dody, WY., reports the Wind River Journal Feb. 6. Six one-week educational programs are planned, beginning on June 29 and continuing through Aug. 7. The program is looking for storytellers, fancy dancers, historians, music makers, crafts workers and Indian artists or philosophers. In some cases, interested persons may apply as a team rather than as individuals. Flat grants of \$600 per week will be awarded to cover travel, lodging, food and salary. For an application form and complete details, contact Gene Ball, project director, Buffalo Bill Historical Center, Cody, WY.

Dr. Eugene Leitka, assistant director, Office of Technical Assistance and Training (OTAT), BIA, has been appointed dean of instruction, Haskell Indian Junior College, Lawrence, KS.

EMPLOYMENT

Chairman of the Employment and Productivity Subcommittee Senator Dan Quayle (R-IN) has said he is in complete agreement with the President's proposal to reduce the budget of the CETA program by something over \$3.6 billion in FY 1982. He has also made clear some points he considers essential to a proper understanding of the proposed cuts:

- The President has proposed the abolition of the public service employment programs under CETA. He has NOT proposed the abolition of CETA.
- Subcommittee commitment to the training and employment of the disadvantaged remains substantial. After the cuts, the CETA program will still be operating at a level of more than \$5.7 billion a year -- a figure 80 per cent greater than in the first year of the program, FY 1975. Put another way, outlays for employment and training programs will be .22 per cent of the Gross National Product. In the heyday of the Great Society (1968), only .19 per cent of GNP was spent on equivalent programs.
- Cuts in CETA are justifiably concentrated on public service employment programs. The record of these programs before the 1978 amendments was filled with instances of fraud, abuse, make-work programs and the use of Federal funds for jobs that would have been funded by state and local governments in any event. While the record since the amendments has improved, adequate evidence is still lacking that jobs created with Federal dollars are truly additional jobs that would not otherwise exist. Further, on the basis of the cost of preparing a person to enter regular private employment, training programs are clearly more cost effective than public service employment. In this period of careful scrutiny of Federal expenditures, it makes sense to fund only the most efficient programs.

Quayle concluded that "in the review of employment and training programs that I expect the Subcommittee to make, we will take a careful look at the

question of whether subsidized wage programs, in the public or private sector, have an appropriate place in an employment and training system."

Employment actions are still allowed at BIA despite President Reagan's hiring freeze, according to a report in Indian Affairs Newsletter Jan. 28. Irene Fischer, chief, Bureau of Indian Affairs Personnel Management Division, told the Public Information Office that the freeze does allow the following actions:

- 1) extension of temporary appointments of present employees,
- 2) reassignments and promotions within the Interior Department,
- 3) continuance of anyone who reported for duty Jan. 26 before receiving a telephone call stating that appointees from outside the Department were not to report, and
- 4) employment of those with written commitments of a job dated on or before Nov. 5, 1980.

However, it is still unclear what positions the Bureau will be able to fill under the "rare and unusual circumstances" exemption, but it will probably apply to jobs ensuring health, safety or protection of property.

Sen. Orrin Hatch (R-UT) will introduce a bill giving bonuses to employers of disadvantaged youths, says the Wall Street Journal Feb. 9. Since he introduced the bill to lower the minimum wage for youth, Senator Hatch has come under fire by labor leaders of the AFL-CIO. So he is introducing another bill that would pay bonuses to employers, particularly small businesses, who employ economically disadvantaged youth. This would give them the incentive to hire even with the regular minimum wage. This move could result in a compromise. However, an AFL-CIO spokesman said that the youth unemployment rate last month had risen to a four-year high of 19 per cent, so something is going to have to be done fast.

Indian veterans, do you need copies of your military record? For copies of your 201 personnel file, write: Commander, U.S. Army Reserve Components and Personnel Administration Center, Attn: AGUZPSE-VO, 9700 Page Blvd., St. Louis, MO. 63132. For copies of your DD Form 214, write: AGUZ-PSE-VS at the same address. You can get copies of your retirement orders by calling (314) 263-7882.

More women are in the work force than ever before, reports the U.S. Department of Labor. According to the Bureau of Labor Statistics Fourth-Quarter 1980 report, almost 52 per cent of all women 16 years old and over

are in the labor market. Fifty-seven per cent of these, or approximately 17.5 million women, have children under the age of 18. More than one out of five mothers in the labor force is a single parent maintaining her own family.

ENERGY

Looking for solutions to your energy problems? Here are some toll-free numbers you can call to get answers to your questions:

President's Clearinghouse for Community Energy Efficiency

1-800-424-9040 (NATIONAL)

1-800-424-9081 (AK, HI, PR)

(202) 252-2855 (WASHINGTON, D.C.)

National Solar Heating and Cooling Information Center

1-800-523-2929 (NATIONAL)

1-800-462-4983 (PA)

1-800-523-4700 (AK, HI)

National Alcohol Fuels Information Center

1-800-525-5555 (NATIONAL)

1-800-332-8339 (CO.)

Gasoline and Heating Oil Hotline

1-800-424-9246 (NATIONAL)

(202) 653-3437 (WASHINGTON, D.C.)

HEALTH AND HUMAN SERVICES

An anti-abortion pediatrician from Philadelphia is slated to receive a top position in the Department of Health and Human Services (DHHS), reports the Washington Star Feb. 14. Dr. C. Everett Koop, head of Children's Hospital in Philadelphia, has been named to the post of assistant secretary and U. S. surgeon general. Koop has served on the boards of many anti-abortion groups, including National Right to Life and Americans United for Life. He is 64 years old. Federal law specifies that the surgeon general must be 62 or less but allows a waiver to 64 plus 29 days. "I'm a few days past that," Koop told reporters, "but I'm a young 64."

California poison centers provide free emergency telephone information 24 hours a day. If you have small children in the house, it's especially worthwhile to jot down the appropriate number:

Coastal Region:	(800) 792-0720
San Francisco:	(415) 666-2845
Northern Region:	(800) 852-7221
Los Angeles:	(213) 669-2401
Orange:	(714) 634-5988
San Diego:	(714) 294-6000

"800" numbers are toll-free calls.

HOUSING

Philip D. Winn has been nominated by President Reagan to be an assistant secretary of Housing and Urban Development. Winn is a Colorado real estate developer.

LAND/ENVIRONMENT

Denver attorney Anne M. Gorsuch has been nominated by President Reagan to be administrator for the Environmental Protection Agency. She was reportedly recommended by a fellow Denver attorney, Interior Secretary Watt. As a state legislator, she was instrumental in killing the proposal to control toxic waste in Colorado.

John W. Hernandez, a civil engineering professor at New Mexico State University has been nominated by President Reagan to be deputy administrator at the Environmental Protection Agency.

The leading candidate to head Interior's Bureau of Land Management is Robert Burford, a cattle rancher and former Colorado State House speaker.

"California dreamer" is what environmentalists and state officials are calling James Watt in his efforts to permit oil and gas drilling on 1.3 million acres off the scenic California coast. The Carter administration, says the

Washington Post Feb. 13, had placed the area under restriction. It is the habitat of the last remaining California sea otters.

Jerry Brown, governor of California, has urged Watt to reconsider, stating that the amounts of oil and gas located in the coastal area are too small to warrant destruction of an endangered species and the jeopardization of an environmentally sensitive area. Watt's reply was, "The President has instructed me to take the necessary steps to increase the production of oil and gas and I firmly intend to take those steps." He did, however, give Brown 60 days to submit recommendations on behalf of the State of California as to the size, timing and location of the land sale.

Watt has launched Interior cutbacks with his old office, according to the Washington Post Feb. 20. In an outline of what he calls "deep cuts and funding shifts," Watt announced he will abolish the old Bureau of Outdoor Recreation, now known as the Heritage Conservation and Recreation Service, and transfer most of the programs to the National Park Service. This was the department he once headed.

Although his outline was general, Departmental sources said he had spelled out the various cuts and shifts in detail as small as \$100,000 items, leaving them little discretion in managing the reductions. Watt also said he would begin "aggressive programs of exchanges" of Federally-owned land for private parcels "to round out the Federal conservation estate." In another anticipated piece of action, Watt said he would move most regulatory activities of the Office of Surface Mining to state governments.

Watt and others have criticized the Bureau of Land Management for underdevelopment of BLM lands in the past. Some interesting figures from a recent BLM report, cited in the Albuquerque Journal Feb. 12, seem to indicate otherwise. According to Federal government statistics, 2,728 oil and gas wells are in production on Federally-owned lands, more than 21,000 ranchers are grazing approximately nine million head of cattle under Federal leases, and 1.2 billion board feet of lumber are produced in an average year from Federally-owned properties.

Final regulations from the Department of Transportation (DOT) concerning the shipping of radioactive materials have been amended to include language which gives Indian tribes the same rights as state governments, says The CERT Report Jan. 31. These final rules incorporate changes suggested by the Council of Energy Resources Tribes (CER), the Yakima Nation, and other tribal groups. They state that since tribes do not lose title to land which has been used by the state for highways and interstate roads, tribal governments retain their right to reject routes which they feel endanger the health and safety of their

people, and that the DOT does not have the right to pre-empt such tribal decisions. For further information on the new rulings, contact: John Allen, Office of Hazardous Waste Materials Regulations, (202) 472-2726, or Douglas Crockett, Office of the Chief Counsel, Research and Special Programs Administration, 400 7th St. S.W., Washington, D.C. 20590.

Dakota tribes are receiving emergency feed grains from the Department of Agriculture, according to Indian News Notes, Feb. 12. The Turtle Mountain Chippewa, Devils Lake Sioux Tribe and Yankton Sioux in South Dakota have been authorized to receive emergency feed donations from USDA. Agriculture Spokesman Edward Hews said the three tribes may receive up to 3.2 million pounds of feed. The drought-stricken tribes own a total of 5,460 animals. Feed grain will be distributed on a proportionate basis by BIA. The Commodity Credit Corporation supplies grain under the Indian Acute Distress Donation Program.

Hearings on the Clean Air Act of 1970 will probably begin around Mar. 1, predicts The CERT Report Jan. 31, which also states that "these hearings will give Indian tribes the first indication of how tribal rights will be recognized by the pro-development Congress and Administration." A key issue in the hearings will concern the right of tribes to have their clean air designations reclassified to avoid pollution of reservation air. The Northern Cheyenne and several other Montana tribes have been battling with the utilities companies on this issue for some time.

TRIBAL ADMINISTRATION AND FINANCE

A closer look at some of President Reagan's "tightening up" policies reveals that the Office of Management and Budget (OMB) has ordered a five per cent cut for consulting, management and professional services, special studies, and analyses. This reduction is in addition to the 15 per cent cut ordered last April. Also, Reagan has ordered that the controversial Federal hiring freeze be made retroactive to Nov. 5. A lot of would-be Washingtonians are packing their bags over that one.

John A. Jollie, a Turtle Mountain Chippewa from North Dakota, has been selected as the new coordinator of the Tribal Managers Corps (TMC), a program of BIA's Division of Self-Determination Services. Jollie is 40 years old and has worked intermittently with BIA since 1965, serving in such diverse capacities as chief of the BIA Manpower Program and chief of the Division of Legislative Review, Indian Education Office.

If the telephone company is charging you for long-distance calls you never made, it may be a case of fraudulent charging. More than \$30 million is charged to random numbers, estimates the U.S. Army. Fraudulent telephone charging is a Federal crime. If it's happening to you, don't just assume it's a mistake: call the telephone company and ask them to investigate.

Low-cost television services may not be as expensive as you think. It is often possible to set up a grass-roots station for as little as \$15,000. For a free guidebook, contact: Corporation for Public Broadcasting, 1111 16th Street, N.W., Washington, D.C. 20036, (202) 293-6160.

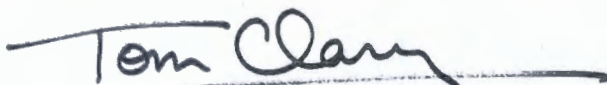
Postal rates are going up again. The Postal Rate Commission recently recommended that first-class postage be raised from 15 cents to 18 cents and that post cards move from 10 cents to 12 cents. They also recommended that second-class be raised from 1 per cent to 27 per cent and third-class be raised from 7 per cent to 24 per cent. Subject to U.S. Postal Service approval, these rates could go into effect as early as March.

A personal record-keeping notebook is available for \$3.95 from: Your Vital Papers Logbook, Box 19269 - State A, Washington, D.C. 20036.

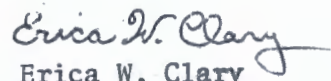
Our apologies again. In the Jan. 30 issue of this BULLETIN, we reported on the 15 tribes selected for participation in BIA's Tribal Management Corp. Of the 15 tribes selected, we mentioned that the Winnebago of Wisconsin would participate. This was incorrect, it is the Winnebago of Nebraska. We inadvertently said it was the Winnebago of Nevada in our Feb. 15 issue.

And one more apology. In our last issue of the BULLETIN, we stated that the National Tribal Chairmen's Association has 16 paid members. In fact, NTCA has 26 paid members. We regret this error.

Until next time . . .
May the Great Spirit Guide You!



Thomas C. Clary, Ph.D.
President
The Clary Institute



Erica W. Clary
Chairman/Director
The Clary Institute



The Clary Institute

ERICA W. CLARY
CHAIRMAN-DIRECTOR
THOMAS C. CLARY, Ph.D.
PRESIDENT-DIRECTOR

WHY THE CLARY INSTITUTE
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The Clary Institute (TCI) is a 100 per cent American Indian-owned firm. Indian tribal governments are among TCI's major clients as are various Federal, state and local government agencies and private businesses.

Tribal officials have continually complained to us about a lack of information from Washington, D.C. We have also heard complaints regarding the inadequate representation of Indian people, even by lobbyists on tribal payrolls. Many Indians believe BIA is their natural advocate, but this is impossible since BIA is a part of the U.S. Department of the Interior. Although the Secretary of the Interior and the Assistant Secretary for Indian Affairs have trust responsibilities for Indians, they are appointed by the President and must carry out administration policies.

Hence, THE CLARY INSTITUTE NEWS BULLETIN FOR INDIAN LEADERS was born. It is supported only by the subscriptions it receives. There is no government subsidy and, therefore, no government pressure on our editorial content. At this time, the BULLETIN is not even a profit-making venture.

We have refrained from copyrighting our material because we are more interested in getting current information into the hands of those who can use it. We ask only that THE CLARY INSTITUTE be given credit when our items are picked up by other publications.

In addition, we hope the NEWS BULLETIN will bring to the attention of our readers the fact that TCI is capable, knowledgeable and trustworthy. If so, we are looking to you to utilize the services TCI provides.

A brief overview of our services includes:

- consulting with tribal leaders on ways to improve tribal operations

- assisting tribal governments in Washington, D.C., by conducting legislative research, handling public relations and speech writing, scheduling appointments and performing other tasks associated with gaining the ears of Congress, Federal agencies and/or public interest groups
- conducting on-site seminars designed to aid tribal officials and program managers in making better decisions on P.L. 93-638 contracts
- conducting program evaluations
- conducting executive development, organization development and/or specialized employee development and training programs -- on-site, if desired
- conducting feasibility studies and aiding in devising business plans for economic development
- consulting on or actually producing multimedia training programs including slide or videotape presentations, films, tailor-made workbooks and hand-out materials
- developing and producing informational booklets, brochures and pamphlets and/or visual presentations (slide-tape, videotape, film)
- designing performance appraisal systems, compensation plans and personnel procedures which will comply with the Civil Service Reform Act of 1978
- AND MORE

TCI also publishes an annual U.S. Government Indian Desk Directory with listings for all major Federal programs serving Indian people. Services and publications are summarized and names, addresses and telephone numbers of key contacts are provided in this handy reference work. Subscribers receive updated material for the Directory on a quarterly basis.

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NEWS BULLETIN FOR INDIAN LEADERS

VOLUME III, NUMBER 3

February 15, 1981

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Hello, My Friends

A new Administration is getting settled into place. The President has issued an economic message to the nation and is about to give Congress his changes in the FY 82 budget.

As new officials take up the reins of power in national offices, we question how much they will base their decisions on service rather than on selfishness. This same question is applicable to those at all levels of government -- including tribal leaders and consultants -- as well as to all those who say they are in the business of serving others -- ministers, physicians, teachers, social workers, etc.

For all of us, good advice can be found in a recently-published essay entitled "The Noblest Masterpiece: The Life of Service" by Robert R. Leichtman, M.D., and Carl Japikse (Ariel Press, 2557 Wickliffe Road, Columbus, OH 43221, \$1.95). Some excerpts follow:

Service has its greatest meaning as we help others recognize their potential It takes a great deal of care, however, to establish a proper perspective toward those we seek to help. All too commonly, those who serve view the ones they claim to help with contempt, arrogance or self-righteousness. The classic example is the missionary. (TCI ED. NOTE: Or the Indian Agent)

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Such a person is seldom motivated by genuine love and an abiding respect for the growth of the individuals he seeks to proselytize; he clearly thinks of himself as superior, possessing the "right knowledge" and the "right belief." He is arrogant toward those who listen to him, contemptuous of those who do not. The help he offers is not worth much

Little better are the social reformers who are inspired to help the poor learn to assert their rights, but then treat them as second-class citizens. In fact, many of these people have not interest in serving anyone; they are merely interested in using the poor as an excuse for promoting themselves.

Leichtman and Japikse offer us a reminder in a simple prayer, which may be helpful to all of us who seek to serve, whether nationally or locally:

Our heavenly Father, as we lift our attention toward you, we give our thanks for your constant love to us and all our brothers [and sisters]. Help us today to better comprehend and serve [your] plan, as opportunities arise. Bless us also with the vision to see our faults and give us the strength to heal them, so that we may better serve. Support us with your infinite love, wisdom and power, so that contributions we make may themselves be blessings. All this we ask on behalf of those we seek to serve. Amen.

WHO REPRESENTS ALL TRIBAL GOVERNMENTS IN WASHINGTON, D.C.? Some say the National Congress of American Indians (NCAI), which calls itself "the oldest Indian organization"; others say the National Tribal Chairmen's Association (NTCA); some say both of these organizations. But many tribal chairmen are telling us "NO ONE!"

This is a time when state and local government public interest groups are gearing up to protect themselves during the biggest budget cuts projected by any administration in history. Although tribal meetings show banners of "Tribal Unity" and "Tribal Solidarity," this is not brought to Washington and played out where it would count.

Some tribal leaders refuse to recognize NCAI because it represents individual Indian members and non-Federally recognized tribes. Thus, the question is: how can NCAI legally and logically speak for all Federally-recognized tribes?

NTCA is the logical organization to represent the elected or appointed leaders of all Federally-recognized tribes and the presidents of the original 12 Alaska Regional Corporations created by the Alaska Native Claims Settlement of 1971 and other Alaskan Indian or Native groups not represented in regional corporations.

NTCA's membership in general has been questioned. The above is in the NTCA Constitution. As of October 1978, under these provisions, 174 tribes indicated their desire to be members. However, in 1979, the NTCA Board of Directors resolved that NTCA membership was contingent on payment of \$100 dues (the legality of this act is questioned by some). During the year July 1979-June 1980, 85 tribes paid their \$100 dues. Since July 1, 1980, only 16 tribes are considered paid-up members.

In addition, many Board of Directors and officers positions are vacant. Wendell Chino (Mescalero Apache) is president and John Sloat (Absentee-Shawnee) is secretary. The positions of vice president and treasurer are vacant. Of 12 Board of Directors members, only three have been named: Joe Mehojah, Jr. (Kiowa) Anadarko area; Buffalo Tiger (Miccosukee), Eastern area; and Peter MacDonald (Navajo), Navajo area. The other nine areas are vacant according to NTCA records. The question still remains: Who will represent the interests of all Federally-recognized tribes and Alaskan Natives during congressional appropriation and budget hearings in the near future?

We hear that Ken Black of NTCA; Ron Andrade, NCAI; Susan Harjoe, NARF; Mary Natani, president, North American Indian Women's Association; and representatives from Wilkenson, Cragun and Barker Law firm and Karl Funke and Associates had an informal meeting Feb. 9 to plot testimony on the BIA and IHS appropriation hearings. Our sources say the outcome can be summarized as "why fight the cuts -- they're inevitable."

We suggest that tribal leaders and inter-tribal councils should "get their act together" soon. We suggest that this Administration will consider they've consulted with the tribal leadership if they contact NTCA and NCAI. That is the way they do with state and local governments. President Reagan has met with groups of governors, mayors, state legislators and county executives. BUT THERE HAVE BEEN NO TRIBAL LEADERS SCHEDULED TO MEET WITH THE PRESIDENT, according to the President's Office of Advanced Scheduling.

We see tribal governments may be in for serious cuts in their funding if Congress goes along with the President. Consider how your tribe will survive with no CETA, no EDA, severe cuts in housing, social services and many other areas. And the planning of bloc grants to states.

There are ways to survive, but it takes a national strategy for Indian and Alaskan Native governments. It really will take "Tribal Unity and Solidarity" with a single effective voice in Washington, D.C. Anything less will result in "DIVIDE AND CONQUER," so the Indian gets the scraps -- if there are any.

The Prescription: ALL tribal chairmen must get together and demand that a strong NTCA be forged from the present weak organization. Tribes must be willing to make a financial contribution of perhaps \$1,000 per tribe (you can get the money from "638" or ANA funds) in order to hire an effective professional staff, which will manage well and be the best lobbyists in town.

AROUND WASHINGTON, D.C. AND THE NATION

The new Reagan budget will be sent to Congress on Feb. 18. It is expected to include a slash of \$10 to \$15 billion off the Carter budget and \$50 to \$60 billion off the 1982 budget. Look for cuts in Food Stamp programs, unemployment benefits, social security for disabled students and special minimum benefits.

Reagan has alerted 100 Federal agencies about budget cuts, according to a report in the Washington Star, Feb. 8. President Reagan has told the heads of more than 100 non-Cabinet agencies that they will have 48 hours to respond after they receive his detailed list of fiscal 1982 budget spending reductions. According to the White House, the independent agencies account for \$70 billion of the estimated \$726 billion budget for the current 1981 fiscal year. Although it did not rule out possible appeals, the memorandum strongly suggested that most decisions will be final.

Democrats will "oppose any attempts to reduce entitlements of our nation's elderly to the social security benefits for which they've worked, to adequate medical attention, and to dignified retirement," pledged House Majority Leader Jim Wright (D-TX). The remark, carried in last week's Congressional Monitor, reflects some of the concern generated by Reagan's proposed budget cuts.

Democrats needle Reagan for lack of details in his economic plans, according to the Wall Street Journal Feb. 6. House Speaker Tip O'Neill (D-MA) and House Majority Leader Jim Wright (D-TX) verged on sarcasm in describing their Feb. 4 meeting with the President. O'Neill asked Wright for his notes on the meeting; Wright produced a pad covered with doodles. O'Neill said the meeting was "a good social hour."

Reagan's inner circle rides high, with little Cabinet resistance to budget cuts, according to the Wall Street Journal Feb. 6. "Cabinet government" hasn't worked yet. Members are often tied up in meetings and have little time to get their departments in shape or set their priorities. Also, they're still short of sub-Cabinet help. Result: White House Counselor Meese and Budget Director Stockman tend to dominate much of the early decision-making.

"Ronald Reagan will veto more bills than any President in history," predicts a senior White House advisor in U.S. News and World Report Feb. 9. This should show Congress that he means business about slashing the budget.

Democrats will dominate the redistricting of Congressional seats based on the new census despite large Republican gains in last year's elections, according to a report in U.S. News and World Report Feb. 9. The 1980 head count will give the south and west 17 more seats in the House. People filling the seats will be more conservative probably. Republican? Not so sure. Of the 28 most populous states, Democrats will control the whole machinery -- both legislature and the governorships in 12 states. The GOP has control in only three. A Republican takeover in the House in 1982 will be difficult.

Food prices are going up again, reports Bottom Line Feb. 14. Beef, pork, poultry, and dairy product prices are expected to increase. Coffee, however, is going down--the price of green beans has dropped from \$1.71/lb. to \$1.25, due to an unusually good crop.

Seafood prices are going up, according to the Wall Street Journal Feb. 5. Demands for a meat substitute, decreased fishing because of higher boat fuel costs, and a severe shortage of Maine lobsters due to extreme weather conditions all contribute to a price raise that economists say can be described as "soaring."

Fuel prices are expected to rise to the mournful tune of 25 cents a gallon for gasoline, 10-15 cents for heating oil and diesel fuel, and 50 cents per 1,000 cubic feet for natural gas.

INDIAN AFFAIRS

Newly-appointed Secretary of Interior James G. Watt is beginning to make public his views on specific responsibilities and commitments of the Department of Interior. On Feb. 5, he addressed the House Committee on Interior and Insular Affairs on his general idea of the direction Interior would take in the months to come. Budget cuts, the moral correctness of the "Sagebrush Rebellion," strategic use of below-surface minerals, and the importance of the Federal government behaving like a "good neighbor" were all covered in the address.

Watt stressed the need for input from all those who would be affected by government regulations, but emphasized that "we recognize our responsibility to listen to all concerned parties; however, the actual decision-making is our sworn duty here at the Department."

Excerpts from several of Watt's statements dealt specifically with Indian and Alaskan Native Issues:

"I consider myself fortunate to serve now as Secretary of the Interior for a President who has a fine understanding of the functions of the Department and who has been involved in issues concerning our public lands, water reclamation, endangered species, and the Indian communities. The months and years ahead will be exciting times for those people interested in bringing a balanced perspective to the management of our nation's resource base."

"I have taken several major initiatives that will help us bring that balanced perspective to the Department of the Interior. First, I sent a letter to each of the 50 Governors pledging that the Interior Department will exercise its responsibilities in full and complete recognition of the vital role of the States in the Federal System. In this letter, I explained my hope that the Department will truly function as a good neighbor. Being a good neighbor means open and candid communication with the States, with a host of other individuals representing national, State, and local concerns and with the Congress, so that decisions affecting lands and resources can be made in full recognition of the facts, the law, and the public interest."

"Last week, I sent letters to governmental, business, industry, tribal, and environmental leaders nationwide asking for specific ideas for reform of Interior regulations which they find to be 'excessive, burdensome, or counter-productive.' I made the same request of the Bureaus and Offices within the Department."

"Since taking office, I have also learned of a potentially serious problem regarding the collection of royalties from oil and gas production operations on Indian reservations and federally leased lands. The problem relates to the sheer size and complexity of the royalty collection process involving Federal oil and gas leases. Current Department accounting procedures are simply outdated and inadequate to properly manage and monitor the vast amounts of data received by the Department on a monthly basis."

"The potential magnitude of the problem can be quickly seen from the fact that projected FY 1981 revenues from all Federal oil and gas leases total \$3.8 billion. The States' share of these revenues would be approximately \$404 million. A loss of even a small percent of these revenues through error or caprice could cost the States millions of dollars. Indian governments in the aggregate would also be losing huge sums of money."

"To come to grips with this matter, I have asked the Governors from States with producing Federal leases to meet with me February 25 when they are in Washington, D.C., for the National Governors Association meeting. We will discuss joint Federal-State monitoring of oil production and distribution and means of improving the Department's accounting procedures to ensure that States obtain their rightful share of royalty revenues."

I have already taken internal action to address this problem. The Department's accounting procedures are under review, and I have ordered the rapid preparation of proposals for overhauling the system. Moreover, I have directed the Geological Survey to have its staff -- both here in Washington and in the fields -- work with State officials."

"Similarly, I understand many of the issues that are of great importance to the Indian people and tribes of this country. I have met with a number of Indian leaders and understand that the Indian people are asking for an opportunity to determine their own futures and that they are seeking to develop, with proper safeguards, their natural resources. This Administration is committed to the enhancement of Indian self-determination."

"In concluding, I would like to stress my belief that all too often, the Federal Government moves in a crisis, not with the precision of a surgeon's scalpel, but with the force of a meat axe. Those of us who love and are committed to preserving the beauty of our environment, fear this possibility. We want the right kind of development to come over time, not the wrong kind of development to come in a crisis."

Relaxed rules on strip mining are among Watt's plans. Late last month he told a meeting of energy agency officials that he intends to ease the requirements for restoring natural contours on mined lands, as well as "slack up" on the regulations protecting water quality. He also plans to expand coal-mine leasing. Opposition from environmentalist groups is expected.

If you don't like Interior moves, then speak up. Secretary Watt recently sent a letter to all tribal chairmen requesting ideas for changing Department of Interior regulatory provisions:

"In his Inaugural Address, President Reagan called upon the Federal Government to 'provide opportunity, not smother it; foster productivity, not stifle it.' Concluding that it was 'unnecessary and excessive growth of government' that occasioned America's economic troubles, he urged: 'With all the creative energy at our command, let us begin an era of national renewal.'"

"The Department of the Interior will enter that era in an effort to end unnecessary and burdensome regulations now frustrating the balanced management of our Nation's resources and, indeed, the Nation's economic recovery itself. I therefore ask you to assist us in making the Department's resource management regulations truly responsive to America's needs.

"I request that you send us specific ideas for changing regulatory provisions which you believe are excessive, burdensome or counter-productive. Recommendations should be divided into actions which you feel could be achieved by Secretarial or Presidential Order and those necessitating Congressional action. Any proposal should be specific, noting the regulations by number, and enumerating their deficiencies and impact and recommending either elimination or revision. Please prepare specific language for any revisions you recommend.

"Because of the need for quick action, I ask that you send me your first proposals for regulatory reform by February 12 and that additional suggestions be sent to us as they are identified and proposed corrections prepared. All proposals will be reviewed by our staff to be assured that the law is fully satisfied.

"I am making this same request of the career employees of the Interior Department agencies that administer land and resource programs."

Sincerely,

(sgd) James G. Watt"

Interior Secretary Watt has recently become the subject of "The Ear," the cleverly written and reputedly accurate gossip column of the Washington Star. On Feb. 3, "Ear" reported that in his new office Watt has "installed his own special stand-up, no-chair desk" and adds that Watt top assistant Doug Baldwin "is following suit."

On Feb. 10, "Ear" retracted the statement and said ". . . Ear is bitterly disappointed to hear that the stand-up desk at Interior is not that of Interiormeister Watt at all, but his sidekick, Doug Baldwin. Watt's favorite roost is actually a Round Table."

And also in "Ear" Feb. 8: ". . . Interiormeister Watt has laid down the law: No slacks permitted on any womenly nether limbs within eyeshot of his office. . ."

TCI's question is: What about a code for men? We have noticed that women definitely do not have the corner on the "non-professional appearance" market, either in BIA or any other Federal agency. We also bet that when Watt came to town, he had no idea he would become the "darling" of the gossip columns so quickly.

"Inappropriate Use of An Indian Trust Fund to Subsidize BIA Activities" is the subject of a General Accounting Office report to Congress. Published Oct. 7, 1980, a digest of the report reads: "The Congress should repeal legislation authorizing the Bureau of Indian Affairs to maintain the trust fund known as 'Indian moneys, Proceeds of Labor'. . . . Legally, the money is supposed to finance the Bureau's operation of Indian schools and agencies which should generate the trust fund's revenue. Actually, however, the Bureau uses the funds to support other administrative activities that are funded directly by appropriations. Also, contrary to law, trust fund revenue is generated from sources unrelated to authorized trust fund activities. The trust fund produces over \$7 million in revenue annually. At the end of March 1979, it had a balance of \$17.5 million."

Several examples of "misuse" are cited in the report, including: travel of BIA personnel; carpeting for the agency; purchase of filing cabinets, electric typewriters, a word processing machine and oak-frame conference chairs; resurfacing of a road leading to Bureau employee housing; Bureau employee salaries, and materials to construct garages for Government-owned houses. Funds described in this report come from "items such as proceeds of lease of [Indian] lands for purposes other than pasturage; rent of buildings constructed from tribal funds; trespass fees and rights of way damages; permits for fishing and hunting; tolls on messages over telephone lines constructed with tribal funds; fines imposed by Indian courts."

The GAO report also recommends that the Secretary of the Interior should require the Bureau to follow applicable laws and regulations to manage the types of revenue that have been placed in the trust fund and make sure the amounts of revenues are fully disclosed to the Congress, and also to make certain that the Bureau's revised accounting system, to be submitted to GAO for approval, includes adequate fund controls to keep its organizational costs within amounts budgeted.

A single free copy of the report is available to tribal officials; members of Congress; heads of Federal, State, and local government agencies, and members of the press. Contact the U.S. General Accounting Office, Document Handling and Information Services Facility, P.O. Box 6015, Gaithersburg, MD 20760, (202) 275-6241. Ask for report FGMSD-80-78.

"Reagan budget team proposes cuts across board spectrum" headlines an item in the Washington Post Feb. 8. The budget architects have put together an extraordinary package of proposed cuts, touching every level of American society and dismantling dozens of Federal aid programs which support everything from school lunches to airports, public television and welfare. Among those proposed cuts that would have a direct affect on Indians are:

- a massive revamping and rewriting of Federal school aid policy, with a consolidation of 57 programs into bloc grants that would go to states to spend as they see fit,
- a \$990 million reduction in child nutrition programs on top of the \$400 million cut proposed in the Carter budget,
- the abolition of the Economic Development Administration (EDA) including its \$425 million loan guarantees and an end to the \$3.7 billion public service jobs CETA programs.

Former BIA Commissioner Louis Bruce and former Acting Commissioner Martin Seneca seem to be having the most input with the Reagan Administration on Indian position appointments. Both appear to have easy access to Secretary of Interior Watt, and Bruce to the White House. Why do we say this? In a last minute headline of the News Bulletin Jan. 31, we announced that Kenneth Smith's name had been sent to the White House by Secretary Watt to be Assistant Secretary for Indian Affairs. (Ken, a Seneca favorite, is waiting for the White House nomination. The Commissioner job is still up for grabs and there is no decision as to whether it will remain.) Kenneth Black of NTCA and Louis Bruce are pushing for it to be filled. Others want it replaced by a Deputy Assistant Secretary for Operations (or BIA). Watt's immediate staff has no comment.

BIA has put a hold on the Martinez Policy, says Indian News Notes Jan. 22. Before his departure from office, former Assistant Secretary for Indian Affairs Tom Fredericks issued a memo to all Area directors stating: "Pending further instructions from this office, no action should be taken to implement the policies set forth in the memorandum of June 12, 1980, subject: Interior Department/Bureau of Indian Affairs Policy Regarding Relationships with Tribal Governments." The Martinez Policy has been criticized as detrimental to the development of tribal sovereignty.

Big markets for buffalo are reported in the Washington Post Feb. 1. Remember how in the 1800s the "westward movement" moved all the buffalo right off the Great Plains and into the "endangered species" category? Well, it seems they are endangered no longer; in fact, their numbers have increased to the point

where they can again be an item on a menu as easily as a souvenir from the past. And buffalo, these days, are ending up on some of the best menus in town; chain stores reported a price of over \$3.00/lb. when they carry the meat.

The ironic part of all this is that after slaughtering the domestically-raised animals for their meat content, private companies are selling the remains--hide, hair, bone, horn, and whatnot--back to Indian tribes for use in religious ceremonies. The nerve. Many reservation and tribal lands have excellent grazing conditions for buffalo, and since care and feeding of the beasts is likely to be known by someone on or near the reservation, it may well be that a return to a partially buffalo-based economy is a tribal enterprise worth looking into.

"Windwalker," a newly-released feature film about an American Indian family in the 1800s, is already stirring up the still and traditionally tepid waters of the upcoming Academy Awards competition. Since much of the film's dialogue is in the Cheyenne and Crow languages, under strict interpretation of the Awards' rules it must be classed as a "foreign" film. But foreign films must designate the country of their origin; in this case, the "foreign" country so designated would be the United States. Interesting problem. "Windwalker" has an excellent chance of winning several awards, if only the officials can decide in which category it should be running.

ECONOMIC DEVELOPMENT/TRIBAL ENTERPRISE

"Economic Development on Indian Lands: The Resources and the Law" will be the subject of a symposium sponsored by the University of South Dakota School of Law Mar. 27-28, 1981. It will be held at the Airport Holiday Inn in Sioux Falls, S.D. The symposium will deal with key legal concepts in the area of energy and agricultural development on Indian lands. The two-day event will highlight recent court decisions affecting water rights on reservation lands and Indian allotments, as well as statutory and regulatory constraints on the development of Indian land. For further information or a registration form, contact: Indian Lands Development Conference, South Dakota Law Review, University of South Dakota, Vermillion, S.D. 57069, (605) 677-5646.

EDUCATION

Community service and education cuts are being eyed, reports the Washington Star Feb. 4. Administration proposals that would cut spending by 20 per cent for education and social programs would also transfer to state and local

governments most of the decisions about who gets what. The proposals would consolidate many programs now funded separately and give the states bloc grants. These bloc grants would be cut to 80 per cent of 1981 spending levels.

The proposed cuts for education affect one-third of the Department of Education's programs and could sharply limit both Federal and local aid for poor and handicapped students. The spending cuts for social and community service would be about \$1.83 billion in fiscal 82 and close to \$2 billion in 1983. Programs affected by the cuts include VISTA, Legal Services Corporation and a multitude of services for the poor, including deterrents to child abuse, low income energy assistance, home health services, drug abuse clinics and community health centers.

Bilingual education is not dead, but is critically ill since Education Secretary Terrel H. Bell scrapped regulations forcing the nation's schools to teach non-English speaking children in their native languages and in English. Education staff members will rewrite regulations to respond to the 1973 Supreme Court decision that held schools to instructing non-English speaking students. The high court, however, did not specify how they should be taught. Given this loophole, we bet that bilingual education is on its way out for Indian students.

Coaching can improve Scholastic Aptitude Test (SAT) scores, according to Bottom Line Feb. 14. Although the Education Testing Service doesn't like to admit it, surveys indicate that students who put in 20 hours on each subject can improve their scores by as much as 12 points in the verbal test and 20 points in the math section. Fifty hours of coaching in each subject can yield as much as a 20-30 point increase. After 50 hours, the law of diminishing returns sets in, and it appears that drilling of under ten hours does no good at all. Most SAT study courses start at around \$300.

EMPLOYMENT

"CETA Demonstration Provides Lessons on Implementing Youth Programs" is the subject of a recent GAO Report. This report found that most worksites of the Youth Incentive Entitlement Pilot Projects provided adequate experiences. These projects were designed to test whether guaranteed part-time jobs during the school year and full-time jobs in the summer would induce economically disadvantaged youths to remain in or return to school.

The Department of Labor however and its contractors had to intervene frequently in program operations and GAO recommended that if Congress decides to expand the Pilot Projects or undertake a similar program, it do so gradually so that sponsors

have time to develop and properly implement the program. For a copy of this report write: U.S. General Accounting Office, Document Handling and Information Services Facility, P.O. Box 6015, Gaithersburg, MD. 20760, (202) 275-6241. Ask for report number HRD-81-1.

Pete Homer, Jr., a Mohave-Shasta Indian has been appointed as Director of Native American Programs at the Department of Labor. Homer has been acting director of the program since last July when Alexander (Sandy) McNabb left. DINAP administers all Comprehensive Training Employment Act (CETA) programs for Native Americans. About 150-200 CETA grantees, including some tribal chairmen are in Washington this week to meet with Congressional leaders to discuss the future of CETA programs.

HEALTH AND HUMAN SERVICES

Confusion reigns at many Federal agencies as the transition between administrations continues. The Washington Star Jan. 30 described an incident in which a West Coast employee of the Department of Health and Human Services (HHS) called Washington for some information on vocational training programs for Navajos. He was told that since there was "nobody in Washington who could help, what he really ought to do was call back in about a week." Hopefully, someone would be there by then.

The National Urban Indian Council's (NUIC) Fifth Annual Convention will be held May 17-21, 1981, at the Hotel San Diego, San Diego, CA. Employment, training housing and urban development, political activities and Indian child welfare will be some of the issues discussed by the 500-1,000 expected attendees. For more information, contact: Gregory Frazier, chief executive, NUIC, 1805 South Bellaire, Suite 525, Denver, CO. 80222, (303) 756-1569.

Massive budget cuts in the Federal food stamp program are being considered by Reagan Administration officials, and the first cuts may occur in 1981 unless a supplemental appropriation to fund cost overruns is approved, according to County News Feb. 1. Food stamp costs for FY 81 have grown from \$9.7 billion set last September to an estimated \$11 billion. Benefits to recipients will need to be reduced to stay within the statutory spending ceiling or a \$1.4 billion supplemental appropriation will have to be enacted to meet the projected need.

The supplemental appropriation would be a quick first cut in a plan being considered by OMB Director David Stockman to cut \$4 billion from the food stamp program over the next two years. If the supplemental appropriation is not enacted, states will be required to begin benefit reduction by April.

HOUSING

Indian housing is suffering another blow, it seems. Recently we have discussed several issues with George Bennett, who has been detailed to head up Housing and Urban Development's (HUD) Indian Housing office until Feb. 11. Now we hear that the paperwork for his temporary appointment has been held idle on the desk of Office of Personnel Management (OPM) former Deputy Director Jules Sugarman. He has been waiting it out so that Bennett would be forced to leave town with the rest of the Carter gang. Apparently, a non-Indian appealed Bennett remaining in the position, and now it looks as if the appeal will successfully remove him from office.

We thought that an Indian who knew Indian housing problems was to head up that office and would have some real impact on the problems and complexities of Indian housing. We are further saddened because moves like this show that HUD is moving towards placing Indian housing back under Public Housing. Indians would lose much of their clout if this were to happen. We have heard that Bennett will be returning to Region V (Chicago). If you feel that an Indian, and George Bennett in particular, should be in the Washington job, write your Congressman and Samuel Pierce, Secretary of Housing and Urban Development, Washington, D.C. 20410. But do it now!

Getting Indian people in Office of Indian Housing positions at HUD was also the subject of a letter that TCI sent to Secretary Pierce early this month. The letter cites a House of Representatives report on the status of Indian housing, and urges Pierce to select an Indian for the position of Special Assistant for Indian and Alaskan Native Programs. The letter also reminds Pierce of the official Indian policy issued by President Reagan in response to 20 questions asked him by TCI during his pre-election policy-setting.

Our sources say that Roland Chico is being considered for the position of Assistant to the Secretary for Indian Programs at HUD. This is the position formerly filled by Irving Santiago.

When contacted in Albuquerque, Chico would say only that he has also heard through the grapevine that he is being considered. He has a background which includes both Paiute and Zuni and has 10-12 years experience with IHAs and alternative housing systems on reservations. Chico has worked for the American Indian Management Institute and the Housing Assistance Council. For the latter

organization, he served as Albuquerque regional director, overseeing activities in eight states. He has also served as an advisor to a number of committees within HUD. We'll keep you posted.

Big cuts are urged in rent subsidies, according to an article in the Chicago Tribune Feb. 5. Senator Jake Garn (R-UT), chairman of the Banking and Housing Committee, has said he favors slashing the \$1.1 billion low-income rental housing program because it no longer serves those in real need. Garn also said that he advocates deep cuts in many Federal social programs to rid them of middle-income people who don't need them. "Tightening eligibility requirements would actually better serve the poor" is Garn's theory.

The low-income rental housing program, called Section 8, subsidizes the difference between what a poor family can pay for rent and the fair market value of the apartment or home. Garn told reporters that by tightening eligibility requirements for new households and raising the amount paid by renters, more money would be made available for those in real need of low-income housing. This decision would also affect those Indians participating in HUD's low-income housing program.

LAND/ENVIRONMENT

Members tribes of the Northwest Indian Fisheries Commission have expressed their concern about a scheduled test run by the U.S. Coast Guard to establish determining factors on oil tanker sizes allowable in Puget Sound waters. Executive Director Jim Heckman made the following statement: "The member tribes of the Northwest Indian Fisheries Commission are deeply concerned about the possible precedent being set in this proposed test run to gather data on oil tanker maneuverability in Puget Sound waters. The tribes have expressed their opposition to any development or activity that would prove detrimental to the salmon and steelhead resource environment, and that would limit or halt the fisheries of the Western Washington Tribes. The tribes intend to take into consideration Judge William Orrick's Phase II ruling of U.S. v Washington regarding the Federal and state governments' obligation in providing a healthy environment for return of the salmon and steelhead in meeting treaty obligations."

Proposed regulation establishing uniform procedures for Federal land managers to protect and conserve archeological resources on public and Indian lands have been published in the Federal Register Jan. 19. The proposed regulation would implement the Archeological Resources Protection Act (P.L. 96-95). This act has

two major purposes: (1) to protect irreplaceable archeological resources on public and Indian lands which are subject to loss or destruction by persons who excavate, remove, damage, alter or deface them for commercial or personal reasons; and (2) to increase communication and exchange of information among government authorities, the professional archeological community, Native Americans, collectors, and the general public toward the goal of protecting and conserving archeological resources nationwide.

Public hearings will be held to permit public comment on the regulations at the following locations:

February 21

Southwestern Indian Polytechnical Institute
9169 Coors Road, N.W.
Albuquerque, N.M.

Host: Bureau of Indian Affairs

February 28

Federal Courthouse
Room 2007
450 Golden State Avenue
San Francisco, CA.

Host: Department of Defense

March 7

Main Auditorium
1011 E. Tudor Road
Anchorage, AK.

Host: Fish and Wildlife Service

March 14

Lecture Hall Building 25
West 6th and Kipling Streets
Denver Federal Center
Denver, CO.

Host: Water and Power Resources Service

For more information, contact: Charles W. McKinney, Task Force Chairman, Heritage Conservation and Recreation Service, U.S. Department of Interior, 440 G Street, N.W., Washington, D.C. 20243, (202) 343-5264. Written comments are due Mar. 21.

Global loss of animal and plant species, contamination of ground water by toxic chemicals, and the spread of desert-like conditions in the western U.S. have been identified as the three priority environmental concerns of the 1980s,

according to the Council on Environmental Quality's (CEQ) eleventh annual report. The report claims that one to three extinctions are now occurring daily, and that the rate will increase to one per hour in the latter part of this decade. To obtain a copy of the report, send a self-addressed mailing label and a request for Environmental Quality 1980: The Eleventh Annual Report of the Council on Environmental Quality: Contamination of Ground Water by Toxic Organic Chemicals; and Desertification of the United States to CEQ, 722 Jackson Place, N.W., Washington, D.C. 20006.

TRIBAL ADMINISTRATION AND FINANCE

Our mistake! In the Jan. 30 issue of this BULLETIN, we reported on the 15 tribes which have been selected to participate in BIA's Tribal Management Corp (TMC) project this year. Among the selectees we named was Winnebago of Wisconsin. This is incorrect. Winnebago of Nevada was the tribe selected. Our apologies for this error.

ANA has three program announcements for grants competition soon to be published in the Federal Register. One concerns "Financial Assistance for Native American Status Clarification Projects." Under this project, 10 grants will be awarded for two years to allow Native American groups to hire a professional to aid them in gathering information for status clarification, which can include Federal recognition, state recognition and other types of status clarification.

Another project, "Financial Assistance for a Native American Status Clarification Resource Mobilization Project," will allow a regional or national Indian organization to obtain a grant of about \$150,000 for 17 months to conduct planning and develop a network to aid groups in status clarification.

The third announcement, "Financial Assistance for New Native American Projects," is ANA's announcement of funds available for those who wish to become ANA grantees. About \$600,000 is available, and approximately 10 grants will be awarded for a period of three years.

All those on the ANA mailing list will receive notification of these announcements soon after they are published in the Federal Register. Those who are not on the mailing list but would like to be and those seeking further information, contact: Jan Phalen, ANA, (202) 245-7730.

A handbook for effective policy-making by tribal governments is available free of charge from an Office of Personnel Management (PM) Regional Office.

Subjects covered include tools for policymaking, the role and responsibility of the tribal council, the concept of "team playing" in tribal government, and the development of a "foreign policy" for tribal operations. For more information, contact: John Stoll, tribal government assistance administrator, AIRD, OPM, Building 20, Denver Federal Center, Denver, CO. 80225.

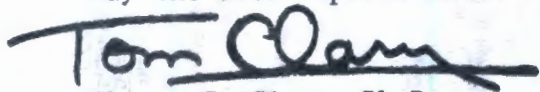
A free seminar entitled "Government Contracts and Grants: How to Win Them" will be offered in Washington, D.C., Feb. 17, 1981. The three-hour session explains the proposal-writing process from initial review of the job at hand to the final bidder's evaluation of a written proposal. Sponsored by the Small Business Administration (SBA) and CRC Systems, Inc., the seminar will be held in the Martin Luther King, Jr., Auditorium, 901 G Street, N.W., Washington, D.C., from 9:15 A.M. to 12:15 P.M. For more information, contact: Joseph Nocerino, CRC Systems, Inc., (703) 385-0440, or Aubrey Stephenson, SBA, (202) 653-6980.

A talent bank for minority faculty, administrative and business personnel is being developed for the University of Central Florida, reports the Public Administration Times Feb. 1. Resumes submitted to the bank will be forwarded to the appropriate University department as positions become available. For further information, contact: Carol Surles, director, equal opportunity and affirmative action programs, University of Central Florida, Orlando, FL. 32816.

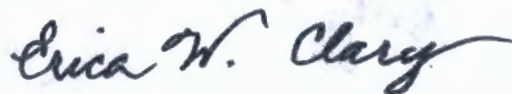
Check your airline travel plans. The 33,000-member Airline Pilots Association is gearing up for a nationwide strike on March 2 to protest inadequate safety policies of the FAA.

Worried about tire safety? A free leaflet from the Federal government explains how to compare tires for traction, treadwear, and resistance to heat damage. Send a self-addressed mailing label and a request for "Uniform Tire Grading Quality" to the National Highway Traffic Safety Administration, 400 7th St., S.W., Washington, D.C. 20590.

Until next time . . .
May the Great Spirit Guide You!



Thomas C. Clary, Ph.D.
President
The Clary Institute



Erica W. Clary
Chairman/Director
The Clary Institute

SPECIAL SUPPLEMENT

Appropriation hearings for FY 82 budget have been scheduled.* Here is a timetable so that Indians can make their plans accordingly:

DATES	PROGRAM	COMMITTEE	LOCATION
Feb. 17-18	Indian Education (Public Witnesses)	House Interior Appropriations Subcommittee	20:00 A.M. B308 Rayburg Bldg.
Feb. 19	BIA FY 82 Budget (Public Witnesses)	Senate Appropriation Subcommittee on Interior	10:00 A.M. Room (TBA)*
Feb. 20	Interior Department Overview FY 82 Budget (Testimony by Secy. Watt)	House Appropriation Interior Subcommittee	10:00 A.M. B308 Rayburn Bldg.
Feb. 25	Dept. of Education/ Indian Education (Agency Witnesses Only)	Senate Appropriations Subcommittee on Interior	10:00 A.M. 1224 Dirksen Gldg.
March 2	Indian Health Service (Agency Witnesses Only)	House Appropriations Interior Subcommittee	1:00 P.M. B308 Rayburn Bldg.
March 3	Indian Health Service (Agency Witnesses Only)	House Appropriations Interior Subcommittee	10:00 A.M. B308 Rayburn Bldg.
March 5	Oversight Hearings BIA & IHS FY 82 Budget (Agency Witnesses & Indian Representatives)	House Interior and Insular Affairs	9:45 A.M. 1324 Longworth Bldg.
March 10	Indian Health Service (Agency Witnesses Only)	Senate Appropriations Subcommittee on Interior	10:00 A.M. Room TBA
April 1	BIA FY 82 Budget	Senate Appropriations Subcommittee on Interior	10:00 A.M. Room TBA
April 8	Office of Education/ Indian Education (Agency Witnesses Only)	House Appropriations Interior Subcommittee	10:00 A.M. B308 Rayburn Bldg.
April 28-29	BIA FY 82 Budget (Agency Witnesses Only)	House Appropriations Interior Subcommittee	10:00 A.M. B308 Rayburn Bldg.

*This schedule and location are subject to change. To remind you of the upcoming hearings, we will publish the monthly hearings in other NEWS BULLETINS.

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NEWS BULLETIN FOR INDIAN LEADERS

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VOLUME III, NUMBER 7

April 15, 1981

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HOUSING.
LAND/ENVIRONMENT
LAW ENFORCEMENT.
TRIBAL ADM./FINANCE.

Hello, My Friends . . .

Members of Congress are back in their respective districts. So now is the time to nail them while on their home turf and let them know how the proposed Reagan budget will affect you and your people.

Rep. James Jones (D-OK), chairman, House Budget Committee, has come up with his own budget. It restores some Indian programs (Housing, EDA, BIA, IHS) that the Reagan budget eliminated. Let Jones know Indians appreciate his action and let your Congressmen and Senators know the Jones proposal is much more realistic. CETA is still destined for the grave, and this will be serious for most tribes which are located far from centers of private industry.

We are pleased that Ken Smith will soon be the Assistant Secretary of Interior for Indian Affairs. The President has officially nominated him, and the Senate Select Committee on Indian Affairs has announced his hearings for Apr. 29. We have heard no rumblings of opposition to his appointment, so there should be "clear sailing." Smith should be confirmed by the Senate during the week of May 5. It will be good for Indian people that Smith can take over and end the long series of acting appointments in BIA.

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AROUND WASHINGTON, D.C., AND THE NATION

The first one hundred days of the Reagan administration may wind up as a disaster for minority interests, especially small businesses. So far, Reagan has recommended a 25 per cent cut across the board in funding for minority programs of SBA. Several major Federal departments are also in the process of eliminating requirements which have benefited minority contractors over the years.

President Reagan has proclaimed the week of May 10 as a tribute to small businesses. In his proclamation, Reagan said, "To revitalize the nation, we must stimulate small business growth and opportunity. Small business accounts for over 60 per cent of our jobs, half of our business output, and at least half of the innovations that keep American industry strong. The imagination, skills, and willingness of small business men and women to take necessary risks symbolizes the free enterprise foundation of the American economy and must be encouraged."

INDIAN AFFAIRS

Secretary Watt and Acting Deputy Assistant Secretary for Indian Affairs Canon have sent letters to tribal leaders for comments on the FY 82 budget, according to BIA's Indian Affairs Newsletter Apr. 8. During the last week of March, both officials sent letters to tribal leaders explaining the Reagan Administration's proposed budget amendments and seeking tribal comments on three proposed options for distributing funds under the Consolidated Tribal Government Program.

In a letter dated Mar. 27, Watt wrote, "I have had many hard decisions to make in balancing the things we would like to do against those things we can afford to do" in order to reduce Department spending. But, he said, the proposed Consolidated Tribal Government Program (CTGP), which will consolidate funding for ten tribal programs under one BIA budget activity, will "give tribes a simpler and more effective means of setting priorities and dealing with the operation of these programs. . . . Indian tribes have suffered as much as any segment of Americans from a Federal presence that preempts determinations and decisions legitimately within the realm of local government. In weeks and months ahead, we will be working closely with you in developing the new grant program and in providing you with a greater role in the allocation of resources available for your tribe."

Canon sent a letter to tribal leaders Mar. 31 seeking comments on three possible options for distributing funds under the CTGP to the 105 separate BIA Agency or tribal locations involved in distributing funds. Funds for CTGP will go directly to these tribes/agencies, but BIA Area offices will remain responsible for program management or monitoring tribal spending under CTGP to ensure tribal accountability. BIA projects a savings in administrative costs of up to \$4-\$5 million by consolidating these programs.

The three tribal options are variations on a theme. The first would distribute funds according to a pro-rata reduction in the current FY 82 tentative allocations (Carter budget). This would reduce each allocation by 25 per cent. The

second option proposes to distribute funds as under the first option except that contract support funds would be distributed separately "on a fair and reasonable basis." Of the \$120 million requested in President Reagan's budget for CTGP, approximately \$4.6 million is estimated to be designated as contract support funds.

The third option is the same as the second except that it would provide a "more equitable distribution" of funds for the Indian Action Program.

The U.S. Supreme Court has ruled against the Crow Tribe of Montana in the Big Horn River case, according to BIA's Indian News Notes Mar. 26. The Supreme Court ruled Mar. 24 that the State of Montana and not the Crow Tribe or the U.S. Government owned the Big Horn River as it flows through the Tribe's reservation. In the 6-3 decision, the Court also determined that the Tribe had no power to regulate non-Indian hunting and fishing on reservation land owned in fees by non-members of the Tribe. The Tribe had claimed that it had jurisdiction over its reservation, including the Big Horn River, under treaties with the Federal government signed in 1851 and 1868. The Court ruled that the Tribe was not given the riverbed by treaties establishing the reservation, but rather Montana gained jurisdiction when it achieved statehood.

A restricted concept of tribal sovereignty was also expressed in this decision. The Court's comments on tribal sovereignty in a syllabus issued with the decision are as follows: "The 'inherent sovereignty' does not support its regulation of non-Indian hunting and fishing on non-Indian lands within the reservation. Through their original incorporation into the United States, as well as through specific treaties and statutes, the Indian tribes have lost many of the attributes of sovereignty, particularly as to the relations between a tribe and non-members of the tribe (United States v. Wheeler, 435 U.S. 313.). Exercise of tribal power beyond what is necessary to protect tribal self-government or to control internal relations is inconsistent with the dependent status of the tribes, and so cannot survive without express Congressional delegation. Here, regulation of hunting and fishing by non-members of the Tribe on lands no longer owned by the Tribe bears no clear relationship to tribal self-government or internal relations. Non-Indian hunters and fishermen on non-Indian fee land do not enter any agreements or dealings with the Tribe."

On Apr. 15, members of the Crow Tribe voiced a protest of the decision in a press conference on the steps of the U.S. Supreme Court. The Tribe announced that a petition for a rehearing of the case will be filed with the Court. They also issued the following statement about the Supreme Court's decision: "Indian people believe the Supreme Court decision destroys tribal sovereignty and recognition of the tribes' unique relationship to the United States government through the treaties."

An apology for statements published in the Mar. 19 issue of BIA's Indian News Notes has been issued in regard to an audit of Federal funds utilized by the Red Lake Band of Chippewa Indians, Bemidji, MI. Red Lake has been undergoing an audit by the Inspector General, U.S. Department of the Interior, of funds spent by the Tribe during 1978-79. A short item in BIA's newsletter of Mar. 19 contained some details of the Inspector General's findings allegedly gleaned from a draft copy of the audit report.

In response to this news item, Roger Jourdain, chairman, Red Lake Band of Chippewa Indians, informed Acting Assistant Secretary for Indian Affairs James Canon by letter Mar. 27 that "The audit report . . . is not a final, issued audit report, but rather a confidential, draft copy of a proposed report, as indicated by the cover letter, . . . and recipients are directed that the draft copy must not be shown or released for purposes other than official review under any circumstances, to prevent premature publication or similar improper disclosure." Attached to this letter was a copy of the audit report cover sheet which states "NOTICE -- THIS DRAFT RESTRICTED TO OFFICIAL USE" followed by two short paragraphs of guidelines for confidential handling of the material. The copy of the cover sheet is also stamped with the word "DRAFT" and shows that the Red Lake Tribe received its copy of the draft Mar. 11, 1981.

As a result of Jourdain's comments, an apology for the previous news item was included in the Apr. 3 issue of the Indian News Notes.

ECONOMIC DEVELOPMENT/TRIBAL ENTERPRISE

Economic Development Administration (EDA) funding has been restored in the House Budget and Commerce Appropriations Committees. The Committees have recommended that no EDA funds for Indians be cut for FY 81 and that FY 82 funding be at the Carter budget level. Thanks must be given to those who did a great deal of lobbying including Aliceann Wohlbruck, executive director, National Association of Development Organizations (NADO), 53 D Street, N.E., Washington, D.C. 20003. Ask about what her organization can do for you.

However, don't breathe too easily yet. We understand that the Reagan Administration has hired Thomas Dunn to act as a consultant to the Secretary of Commerce with a mission to dismantle EDA.

A party is being planned in honor of Ray Tanner, former special assistant for Indian affairs, EDA, who retired recently. This gathering of friends is scheduled for May 19 at the Associates Court Restaurant, Smithsonian Institution, Museum of Natural History.

Organizers of the party plan to present Tanner with a scrapbook highlighting his service. If you have any letters, pictures, resolutions or other mementos suitable for the scrapbook, send them to Wilbur Paul, program officer, EDA Indian Desk, Room 7312, U.S. Department of Commerce, Washington, D.C. 20230. If you would like to attend, contact Wilbur Paul or Ruth Ann Nyblod, (202) 377-4322, by May 5.

EDUCATION

Alaska Education Commissioner Marshall Lind has urged the Native community to work closely with the state department of education to improve the effectiveness of education in both urban and rural Alaska, according to BIA's Indian News Notes Mar. 26. Speaking before the Alaska Native Education Association, Lind

said the reasons for the high drop-out rate among Natives include a high teacher turnover in rural areas, a lack of Native teachers and education administrators and a need for more Native-related materials. "We desperately need to learn more about the other reasons causing students to drop out. We need research, more local input and more parent participation," Lind said.

Interior Secretary Watt has not made a final decision to move BIA's Institute of American Indian Arts (IAIA), presently at Santa Fe, N.M., to a new site, according to BIA's Indian Affairs Newsletter Apr. 8. Newspapers in Santa Fe and Albuquerque had announced that the school would be moved and the campus facilities used for an All-Pueblo Indian high school. Announcements of the change resulted from remarks made by members of the New Mexico Congressional delegation after a breakfast meeting with Watt. Watt's statement acknowledged that the plan to turn the campus over to the All-Indian Pueblo Council for its high school had merit but stressed that there is "no firm proposal and a final decision has not been made."

EMPLOYMENT

A Wharton School of Finance study projects a 9.49% rate of unemployment as a result of the Reagan budget cuts. According to a press release from Rep. Augustus F. Hawkins (D-CA), chairman, House Employment Opportunities Subcommittee, the findings of this study predict a substantial increase in unemployment. Hawkins said, "These findings point up the cold reality of the budget debate. Spending reductions will not be accomplished by the elimination of fraud, abuse and mismanagement. Reductions will be achieved by eliminating jobs -- hundreds of thousands of jobs in all sectors of the economy. The social and economic costs of this job loss are enormous. Moreover, public spending will also go up as a result of higher unemployment. The increased cost of unemployment compensation alone is estimated to be over \$5.5 billion."

The Wharton analysis also projects an increase in unemployment as a result of major cutbacks in employment and training programs under CETA. Due to the cuts, the rate of inflation will be reduced by only three-tenths of a per cent, according to the study.

ENERGY

Secretary Watt has vowed to open wilderness regions for "minerals hunts," according to the Washington Post Mar. 27. Watt told the House Interior Subcommittee on Mines that existing law permitting exploration in wilderness lands "has not been followed as aggressively as I think it should." He also stated that previous administrations have not allowed virgin forests and mountainsides to be touched, but "we will allow the acts of Congress to be followed."

Watt reported that he is shifting funds to the Bureau of Mines in his department to emphasize "production-oriented research" and will check departmental policy to make sure it allows mineral companies access to all Federally-owned land. Such

changes are needed, Watt said, because "we are importing from foreign nations the most critical element of our civilization . . . strategically important minerals."

\$108 million in contracts for oil exploration in the National Petroleum Reserve of Alaska (NPRA) have been awarded by the U.S. Geological Survey, U.S. Department of Interior, in what may be the last major phase of Federally-financed efforts to find oil. In this recent budget proposal, Secretary Watt asked that the Geological Survey's NPRA budget be reduced from \$107 million in FY 81 to \$2.6 million in FY 82. Under the proposed budget, the current drilling program would be terminated in anticipation that further petroleum exploration in NPRA would be conducted by private industry under a leasing system similar to that followed elsewhere on Federal lands.

HEALTH AND HUMAN SERVICES

Maxine Robbins (Yakima) is the first Native American to be named "Social Worker of the Year," according to a report in Native American News Mar. 1981. She was awarded the honor in recognition of her work in establishing Nak-Nu-We-Sha, a tribal receiving home for abandoned, abused or needy Indian children on the reservation. The home was one of the earliest Indian child-placing agencies in the nation. Its stated purpose, according to Robbins, is to help keep Indian families together and to prevent the removal of Indian children from their homes and their culture.

Robbins has been a social worker for 21 years, first with the Washington State Department of Social and Health Services and then with the Indian Health Service.

Medicine men get up to \$400 a year per family treated under a United Mine Workers' contract at Peabody Coal Company's two Arizona mines, according to the Wall Street Journal Mar. 10. About 700 of Peabody's nearly 900 miners are Indians, mostly Navajos. Last month's accord increased the medicine-man medical benefit 60 per cent from \$250 annually.

HOUSING

The National Indian Housing Council (NIHC) held a board meeting in Washington Mar. 31-Apr. 3. It concluded with testimony before the House Interior and Insular Affairs Committee on budget cuts for Indian Housing. There was much lobbying of Congress by individual attendees, but no real strategy was decided upon by the membership as a whole. The House Committee appeared to be interested in restoring at least some of the housing funds being cut by the President's budget recommendations and in supplying enough money to IHS to furnish sanitation and sewage facilities to existing units and those currently being built. There was a general consensus that no one could figure out where OMB got their figures for the President's budget nor was there any coordination between HUD, IHS and BIA budgets on Indian Housing. Hopefully, Congress will put some sense into the budget.

The National Congress of American Indians (NCAI) and Native American Rights Fund (NARF) are working together with NHIC to get fair Indian housing appropriations out of Congress. We were distressed that the National Tribal Chairmen's Association (NTCA) was noticeably absent when all powers possible are necessary to help Indian people catch up on housing needs so long neglected.

LAND/ENVIRONMENT

Tribes and Congressmen are opposing big tankers, according to Northwest Indian Fisheries Commission News Mar. 1981. A recent article reported that the Coast Guard conduct maneuverability tests on Puget Sound to increase the size limit on oil tankers allowed in the Sound. Earlier this year, both Washington State U.S. Senators wrote to Coast Guard officials stating their intent to preserve the quality of life in Puget Sound country, to uphold the stated opposition of the people of Washington State and to continue former Senator Warren Magnuson's (D-WA) campaign against super tanker traffic. Both the Lummi and Tulalip Tribes also voiced their opposition at a news conference last month. If the Coast Guard approves this move, it would increase the likelihood of major oil spills as well as destroy the beauty of the Sound.

BIA has commented on the MX draft environmental impact statement, according to Indian News Notes Mar. 19. The BIA's formal comments on the draft Environmental Impact Statement (EIS) concerning the proposed MX missile claim that the system's construction would "threaten the very survival of the tribal cultures in Nevada and Utah" and thus "would be contrary to the Federal trust responsibility." The Office of Trust Responsibilities prepared the Bureau's comments according to standard procedures which invite organizations and individuals to comment on a draft EIS in order to ensure a more accurate final EIS. The public is invited to comment on this draft EIS until May 1.

BIA's comments contend that tribes should be treated as local governments, but that instead, the draft EIS considers them to be private organizations. The Bureau suggests that tribes be consulted before completion of the final EIS and that tribes be identified among those units of government from which approvals or licenses must be obtained for purposes of the MX construction, such as for rights of way or road construction.

LAW ENFORCEMENT

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) has cancelled a proposed guideline for the prevention of juvenile delinquency through Capacity Building Cycle II, according to the Federal Register Mar. 24. The cancellation is based on the following: (1) the Administration's budget request to Congress for FY 82 eliminates funding for the Office of Juvenile Delinquency Prevention, thereby requiring that plans for new programs be cancelled and that phase-out procedures be initiated; (2) an examination of the costs related to the review, selection and processing of concept papers/

applications indicate that the Capacity Building Cycle II initiative would not be cost effective in relation to funds available for award; and (3) the initiative must be reassessed in terms of completing priorities for OJJDP funds.

TRIBAL ADMINISTRATION AND FINANCE

Proposed legislation would abolish Intergovernmental Personnel Act (IPA) grants, according to Washington Post Apr. 19. The White House has sent proposed legislation to Congress that would abolish the IPA grants program. During the last 10 years, the Federal government has co-funded (with states, local and tribal governments) more than 5,000 management improvement and training projects at a cost of over \$160 million. The Office of Personnel Management is already taking steps to eliminate most jobs in its program that oversees the IPA grants.

The 14th Annual Industry/Small Business Administration Procurement Conference and Awards banquet will take place May 12 at the Sheraton-Washington in Washington, D.C. Representatives of 18 Federal prime contractors will hold counseling sessions and formal presentations. Topics of these presentations will include "How to Do Business with the Federal Government," "Marketing as a Small Distributor," "Marketing as a Components Manufacturer" and "Marketing to Prime Contractors." For more information contact: Ms. D.J. Bondurant, Subcontracting Assistance Section, OPTA, SBA, 1441 L Street, N.W., Washington, D.C. 20416, (202) 653-6442.

Until next time . . .
May the Great Spirit Guide You!



Thomas C. Clary, Ph.D.
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Chairman/Director
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P.S. Indian organizations plan a meeting of tribal leaders for May 6 and 7 in Washington, D.C. to develop a unified national position on budget issues, survival of tribal governments and to discuss the Reagan Administration's Indian policy. This meeting is sponsored by NTCA and co-sponsored by 16 other Indian organizations. All tribal leaders are urged to attend. For more information, contact: Elmer Sevilla at NTCA, (202) 343-9484 or Ada Deer, Native American Rights Fund, (202) 785-4166.



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March 1, 1991

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Hello, My Friends . . .

The Senate Select Committee on Indian Affairs held hearings Mar. 23 on Indian-related budgets (BIA, IHS and Department of Education). Acting Deputy Assistant Secretary for Interior for Indian Affairs James Canan told the Committee, "I feel we were treated very well by the Administration since the Department of the Interior took about twice the cuts that BIA did."

Canan added that a BIA task force is working on a distribution formula for "consolidated programs" to give tribes greater flexibility. Canan said this formula has all the "attributes of block grants." It also appears that regulations which will convert "638 contracts" to "638 Cooperative Agreement Act Grants" will not be ready for October due to a delay in getting tribal consultation.

During the hearings, Senator Inouye (D-HI) tried to get an answer on how much of the cuts were to go to BIA administration of programs and how much was to go to the tribes. Canan did not give an answer to this question, but we talked to him after the hearings. Canan stated that the idea that

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as much as 80-90 per cent of the budget goes to BIA overhead is a misconception. He claims that the actual BIA "housekeeping" budget is about \$50 million -- or about five per cent of the budget.

In our minds, what can and cannot be considered administrative overhead is always a question, and without knowing what is going into administrative costs, the percentages don't mean much. An example would be: Are teachers, school dormitory personnel, cooks and the like considered BIA overhead or as costs that benefit tribes? If tribes contracted for these services, then associated costs would fall under tribal programs -- but as long as tribes choose to have BIA operate these programs, then are the costs BIA overhead?

In considering personnel and personal services, Canan came up with the following breakdowns of percentages of administrative costs in various areas: education, 57.8%; Indian Services, 13.4%; Navajo-Hopi Relocation Project, 23.3%; economic development, 27%; OTAT, 57.6%; natural resources development, 36.5%; trust responsibility, 37.5%; general management, 54.2%; and other Indian programs, 39.1%.

Also during the hearings, Senator Melcher (D-MT), member of the committee, read from a November 1979 Status Report, Fulfilling Our Promises: The United States and the Helsinki Final Act, written by the Commission on Security and Cooperation in Europe:

Native Americans, on the average, have the lowest per capita income, the highest unemployment rate, the lowest level of educational attainment, the shortest lives, the worst health and housing conditions and the highest suicide rate in the United States. The poverty among Indian families is nearly three times greater than the rate for non-Indian families, and Native people collectively rank at the bottom of virtually every social and economic statistical indicator.

To these comments, Canan replied that he didn't know if all those statements were true. He thought more Indians were now returning to reservations because conditions were better.

Asked about his thoughts on the "BIA as 51st state" concept, Canan probably set tribal sovereignty back by at least 200 years. He told the Committee that "block grants to states could go two ways: (1) grants could flow through the states to the tribes or (2) from a department to BIA to the tribes" as do funds for "the Highway Safety program and Title I and Handicapped Education, with the Secretary of the Interior acting as governor." Then, asked if this wasn't like categorical grants, Canan replied that "tribes are recognized as local governments whether funds go through the states or Interior."

Canan was further pressed by Committee members for his personal recommendation. He said, "I prefer that grants be earmarked to states for allocation to the tribes. In some circumstances, the '51st state' concept may be best."

By this statement, Canan explained that he only wanted "to make certain that tribes get their fair share, whether through states or BIA."

On the IHS budget, Melcher asked Dr. Emory Johnson, director, IHS, about personnel reductions and proper expenditures, Johnson answered that he expected no reductions in personnel and that "investigations of IHS showed no illegalities. In some cases, procedures were not carried out, but IHS is streamlining procedures."

Melcher pressed the point that "purchases were made without prior approval and improper purchases were made." "I just wonder who's running the show," Melcher said. Johnson assured the Senator that things were improved, and Melcher seemed to be satisfied with this.

Others appearing before the Committee included Acting Assistant Secretary for Elementary and Secondary Education John Rodriguez (Department of Education) and Suzan Harjo, legislative liaison, Native American Rights Fund (NARF).

Two tables attached to this BULLETIN provide information on the FY 1980-1982 budget authority and outlays for Federal Indian programs, as well as a comparison of the Carter and Reagan budget levels. For these tables, "Indian programs" were defined as "Federal programs which fund recipients because of their special status as Indian people or Indian organizations." The tables do not include Indian participation in Federal programs generally available to all U. S. citizens, and therefore exclude funding for items such as social security, food stamps, A.F.D.C., S.S.I., unemployment compensation and home energy assistance.

In the area of Indian affairs, President Reagan has not organized his White House much differently than did former President Carter. Elizabeth Dole, assistant to the president for public liaison, has appointed Morton Blackwell as special assistant for Native Americans, veterans, fraternal organizations and religious affairs. So, in effect, the Reagan White House is treating Indians as a minority and/or public interest group rather than as government entities on a tribe-by-tribe basis.

During his campaign, Reagan promised to treat tribal governments on a government-to-government basis, as they should be treated. If he wants to make good on this promise, Reagan should immediately place responsibility for Federally-recognized American Indian tribes in the functional area of Presidential Assistant for Intergovernmental Affairs Richard Williamson. Because Federally-recognized tribes have sovereignty, they should be treated with the same dignity as are states, counties and cities -- all of which are under Williamson.

To get this action taken at once, tribal leaders need to undertake an active write-in campaign. Comments urging this action should be sent to: James A. Baker III, Chief of Staff, White House, 1600 Pennsylvania Ave., N.W., Washington, D.C. 20500. If this is not done early, Federally-recognized tribes will lose any possibility of gaining recognition as viable governments.

CORRECTION: The IHS budget for FY 81 was \$606 million, not \$21 million as reported in our Mar. 15 issue. Rather, the increase in the IHS budget from FY 81 to FY 82 is \$21 million.

AROUND WASHINGTON, D.C., AND THE NATION

Support for the Republican economic program is softening, reports the Wall Street Journal Mar. 20. White House and Gallup polls are finding a general falling-off in public support for the President's plan. Reagan is meeting the challenge of a decrease in popularity through daily meetings with various Congressional groups, such as female legislators and freshman Republican senators.

Attempts at imposing dress codes are spreading! A Mar. 23 item in the Washington Star's gossip column, "The Ear," reports the latest development:

PANTING WITH PLEASURE...The Department of Education's rattled up its little dress code. No pants on the womenfolk, cries its General Counsel Dan Oliver. (He, remember, was once editor of Bill Buckley's Rather Rightist National Review, and wore all sorts of clothes.) Education, darlings, plainly involves more than the head... And over at Transpo (Transportation) the Railroad folks' Personnel and Training Office has flashed out its Major Memo: "Blue denim jeans, no matter how fashionable or expensive, are not appropriate attire and should not be worn to work in the future during the business week." Not even the Perfect Jeans? Ear is appalled.

INDIAN AFFAIRS

BIA budget cuts are being refined so Area directors will know soon what to expect. Block-grant formulas have not been determined although

several alternatives are being studied. Plans call for them to be presented to the tribes for comment. However, BIA is scheduled to testify before the House Interior and Insular Affairs Committee on their block grants Mar. 31.

One BIA formula idea is the "band analysis" concept. This is not quite the "block grant" concept but may be the most flexible to be accorded to the tribes.

Tribal officials can expect a heavy emphasis from the new Administration on fiscal accountability. This means audits to get "tribal houses" in order. Obviously BIA will have to get its "fiscal house" in order, too.

A breakdown of the BIA FY 82 budget follows:

<u>ACTIVITY</u>	<u>CARTER BUDGET</u>	<u>CUTS</u>	<u>REAGAN BUDGET</u>
<u>Education</u>			
Johnson-O'Malley			
Educational Asst.	\$ 29,935,000	\$29,291,000	\$ 644,000
Continuing Education	\$ 54,476,000	\$34,999,000	\$ 19,477,000
<u>Indian Services</u>			
Aid to Tribal Government	\$ 26,455,000	\$ 3,217,000	\$ 23,238,000
Social Services (Cut Alaska Native Welfare)	\$ 96,104,000	\$ 5,700,000	\$ 90,404,000
Housing	\$ 23,776,000	\$ -0-	\$ 23,766,000
Self-Determination Services	\$ 54,472,000	\$26,155,000	\$ 28,317,000
Grants		\$18,948,000	
Contract Support		\$ 6,207,000	
Tribal Management Corps		\$ 1,000,000	
<u>Economic Development & Employment</u>			
Economic Development	\$ 45,684,000	\$ -0-	\$ 45,684,000
Business Enterprise Development	\$ 8,755,000	\$ 1,373,000	\$ 7,382,000
<u>Natural Resources Development</u>			
Forestry & Agriculture	\$ 72,271,000	\$ 650,000	\$ 71,621,000
<u>Consolidated Tribal Government Programs</u>			
(Block grants from above program cuts)	(\$162,122,000)	\$40,622,000	\$121,500,000
<u>Construction</u>			
(Major cuts are in Facility Improvement and Repair)	\$118,791,000	\$12,849,000	\$105,942,000
<u>Road Construction</u>	\$ 53,492,000	\$ 3,000,000	\$ 50,492,000

BIA also expects to eliminate 239 positions for a savings of \$9,886,000. There will also be a reduction of \$881,000 in the BIA travel budget.

Reagan budget cuts spell bad news for Indians, according to an article in the Washington Post Mar. 14. After preliminary analysis, Ken Black of NTCA estimates that proposed cuts will slash current Indian employment by half and seriously curtail reservation development.

Suzan Harjo, Native American Rights Fund (NARF), said of the proposed elimination of the Indian Housing Program: "We're seeing the housing program zeroed, along with no increase in sewage and sanitation money in the Indian Health Program and road construction grants reduced. I think it looks awfully dire for Indians." Harjo also stated that eliminating the Legal Services Administration (which Reagan is proposing to do), will effectually block Indians from using the nation's court system, since LSA is one of the few affordable legal services available to tribes.

An overall BIA budget cut of \$75.9 million in FY 82 is proposed, with the biggest cut centering on the \$703 million "saved" by eliminating the Indian Housing Program.

Ten Indian programs should be consolidated into one block grant administered by the tribes, the Reagan Administration told the Washington Post Mar. 14. Total funding of the consolidated grant would be cut by 25 per cent across the board. The grant would include Federal monies for Indian agriculture, education, fire protection and vocational training.

Maurice "Bill" Babby, BIA director of administration, has been appointed Acting Deputy Commissioner. Ted Krenzke is on leave. It is not known whether Krenzke will return to the Commissioner's Office or to his position as Director of Indian Services when he returns. The delay in nominating an Assistant Secretary for Indian Affairs leaves much uncertainty as to who will be where in BIA.

Watt has called himself the "high-risk player" on Reagan's team, according to Indian News Notes Mar. 5. Watt told J.J. Casserly, editorial writer, Arizona Republic, that he reads General Douglas MacArthur's "old-soldiers-never-die" speech for inspiration and that the motto of the United States Military Academy -- "Duty, Honor and Country" -- expresses his personal credo. "He [Reagan] didn't tell me to just plug away and gain three yards " Watt told Casserly, embellishing his player metaphor with a little football talk. "The President said he wanted big gains in the west, and I'm going to run as far as I can."

James G. Watt fired 51 staff attorneys and clerical personnel at the Department of Interior, saying that they had been hired by the previous administration under illegal circumstances. In the Washington Post Mar. 20, Watt stated that the personnel had been hired with over-budget funds and were being fired as a result of "illegal, improper, and irresponsible" activities of the Carter administration. However, Watt also said that the employees being fired were not necessarily the same people who had been hired with the over-budget funds. Three Indian lawyers were among the unfortunate Interiorites. Watt has directed his staff to seek out other cases of "mismanagement and fraud" within his department.

But the staffers don't intend to take this lying down. Noe Medina, one of the attorneys getting axed, told the Washington Star Mar. 23 that 14 of the lawyers facing dismissal are considering legal action to block Watt's intended rout. Medina charged the Administration with "using a budget smokescreen for a political purge of people they consider not politically reliable. [The firings] appear to be arbitrary and capricious." Medina also commented that any "young" person is regarded with suspicion by the new team at Interior.

We understand that Department of Interior Assistant Secretaries will not be traveling much. Secretary Watt has ordered them to remain in Washington to get their programs off the ground. So don't be surprised if you invite the Assistant Secretary for Indian Affairs to visit (when one is nominated) and he has to turn you down.

Ted Jones (Comanche) has been appointed to head the new Employee Counseling Service at BIA, according to BIA's Indian Affairs Newsletter Mar. 11. This program, under the Office of Administration, Division of Personnel, will provide free counseling for BIA employees experiencing "alcohol, drug, marital, family, interpersonal, or situational concerns."

In announcing the new program, Acting Deputy Commissioner Ted Krenzke said, "Aside from humanitarian considerations, this program makes sense from the standpoint of productivity and overall organizational effectiveness. Well-adjusted problem-free employees should accomplish more in less time and with a greater sense of personal fulfillment, making the Department a more effective organization and a more pleasant place to work."

Jones has a B.A. in psychology and an M.A. in education and social work. He hopes to establish a counseling service at all Area offices. Currently, only the Albuquerque Area Office has such a program.

Reopening of the comment period for a proposed rule to clarify circumstances under which BIA may provide appropriated funds to an Indian tribe for the payment of a private attorney's legal services was announced

in the Federal Register Mar. 16. Due to an error in the original announcement and the required 30-day comment period on any proposed rule, the new deadline for comments is Apr. 15. Send written comments to: Hans Walker, Jr., 18th & C Street, N.W., Washington, D.C. 20240.

"Wassaja/The Indian Historian" will cease publication in 1981, due to increased mailing costs and delivery problems. Founding co-editor Jeannette Henry of the American Indian Historical Society said that the paper was started in 1973 because "We (the Indian community) did not have an independent newspaper on a national scale and we needed it -- and we need it now." Henry and her husband, co-editor Rupert Costo, plan to issue a bulletin intermittently to keep in touch with the tribes.

The March 1981 issue of the Wabanaki Alliance carried the following humorous item: A BIA official recently stopped at a farm on a large reservation in Maine, approached an Indian farmer and showed him a card. "I'm from the BIA, and this card authorizes me to inspect your farm," the official said. The Indian merely nodded. A short time later, the Indian heard frantic screams coming from his pasture. Looking, he saw an angry bull chasing the BIA official at full speed across the field. From the fence, the Indian shouted, "Show him your card!"

REMINDER. The following hearings are scheduled for the month of April:

APRIL 1

Budget for BIA
Senate Interior Appropriations Subcommittee
9:00 A.M.
Room 1114 Dirksen Senate Office Building
(Agency Witnesses Only)

APRIL 3

Budget cuts for Indian Housing Programs
House Interior and Insular Affairs Committee
9:45 A.M.
Room 1324 Longworth House Office Building
(Witnesses from HUD, IHS, and BIA)

APRIL 8

Budget for Department of Education - Indian Education
House Interior Appropriations Subcommittee
10:00 A.M.
Room B308 Rayburn House Office Building
(Agency Witnesses)

REMINDER (continued)APRIL 8

Overview Hearings on Interior Budget
Senate Interior Appropriations Subcommittee
9:00 A.M.
Room 1114 Dirksen Senate Office Building
(Secretary Watt to testify)

APRIL 28 & 29

Budget for BIA
House Interior Appropriations Subcommittee
10:00 A.M.
Room B308 Rayburn House Office Building
(Agency Witnesses)

ECONOMIC DEVELOPMENT/TRIBAL ENTERPRISE

Small Business Administration (SBA) faces proposed reductions of \$128 million and \$2 billion in direct lending and guaranteed lending funds respectively. President Reagan has also proposed to decrease SBA disaster loan obligations by \$830 million, and to increase the interest rate on SBA direct loans, currently set at 9.25 per cent.

EDUCATION

Vincent Reed has been named assistant secretary for elementary and secondary education, reports the Washington Post Mar. 14. Reed was formerly the superintendent of public schools for the District of Columbia. Reed's yet-to-be-appointed assistant will head the Office of Indian Education, which falls under the jurisdiction of the Federal Office of Education.

To familiarize small business owners with up-to-date business management practices, SBA has established a national small business management, training network at 159 community and junior colleges. These schools offer low-cost training in numerous phases of independent business management such as cash flow analysis, marketing and inventory control. For information, contact your local SBA office listed in the telephone directory under "U.S. Government."

The fate of the Institute of American Indian Art (IAIA) is (partially) in your hands. Congressmen Sidney Yates (D-IL) and Morris Udall (D-AZ) have sent a letter to tribal leaders asking for recommendations on the future of the Santa Fe-based Institute. A copy of this letter, reports BIA's Indian News Notes Mar. 12, was sent to Interior Secretary Watt with the comment that "since the AIAI was established to serve the needs of all Indian tribes and Native people, [the congressmen] felt it appropriate to consult the leadership of all tribes on the fate of the Institute." The All-Indian Pueblo Council (AIPC) is petitioning to have the AIAI facilities used to meet the needs of AIPC high school students. Send your comments to either Representative Sidney R. Yates, Room 2234, Dirksen Bldg., Washington, D.C., 20505; or Representative Morris K. Udall, Room 235, Russell Office Bldg., Washington, D.C. 20515.

Syracuse University has been named as the best school for studying public administration in an unofficial pool conducted by David Morgan, Bureau of Government Research, University of Oklahoma. Morgan surveyed 118 principal representatives of the National Association of Schools of Public Administration. An item in the Public Administration Times lists the "top twenty" schools for "P.A.," ranked according to Morgan's results:

- | | |
|------------------------|----------------------------------|
| 1. Syracuse | 11. Carnegie Mellon |
| 2. Harvard | 12. Minnesota |
| 3. Southern California | 13. Ohio State |
| 4. Indiana | 14. American University |
| 5. California, Berkley | 15. North Carolina |
| 6. Texas | 16. Florida State |
| 7. Princeton | 17. Kansas |
| 8. Pittsburgh | 18. George Washington University |
| 9. Michigan | 19. Virginia Polytech |
| 10. Georgia | 20. SUNY, Albany |

EMPLOYMENT

Indian tribal employment will be cut by about 6,000 jobs if Congress approves President Reagan's cuts in CETA. This should not be a surprise since Title II and VI public sector programs were due to go in 1982 anyway. This part of CETA is just being eliminated a year early. Next year, when Title IV is phased out, about 10,000 more jobs for urban Indians will be cut.

Now is the time for good planning. What's going to be left? Title III - Section 302 for FY 82 is funded at \$81.6 million; summer youth programs at \$14 million and Title VII private sector jobs programs at \$6.6 million for a total of \$102.1 million for CETA Indian programs.

The Division of Indian and Native American Programs (DINAP) at the Department of Labor will still be administering 193 grants next year, according to Peter Homer, DINAP director. The crucial problem reservation tribes are facing is the lack of public sector opportunities for jobs, which means welfare for many former CETA employees. Elimination of Economic Development Administration (EDA) programs also destroys many future opportunities for tribal self-sufficiency.

So, what do tribes do now? In addition to cutting CETA participants, it will probably be necessary for tribes to cut tribal staffs soon. It means tribal officials are going to be forced to think of new ways to hustle jobs for their people or Indian people return to a "welfare society." We hope the CETA coalition is looking at how it can reorganize and refocus its efforts to write necessary legislation to keep tribal governments from losing ground in employment and economic development.

Funding for the older citizens' CETA jobs program will be increased during FY 82, according to the Washington Star Mar. 18. Under the program, senior citizens are hired to work in "community services projects," such as house weatherization programs, hospitals, libraries, local employment offices and beautification and restoration projects. The administration plans to add 1,000 positions to the program, bringing the total number of jobs to 54,000 and the total budget to \$277 million. Albert Angrisani, assistant secretary, Labor Department Employment and Training Administration, says that this particular CETA program works because it is "simple."

ENERGY

Tribes are criticizing the Federal oil royalty collection system, according to BIA's Indian Affairs Newsletter Mar. 11. At a hearing conducted by the Senate Select Committee on Indian Affairs in Billings, MT., Feb. 27, representatives from the Shoshone Tribe of the Wind River Reservation, WY., described Federal supervision of oil and gas leases on Indian lands as "wholly inadequate." A BIA representative testified that the Bureau "is the agency responsible for the management of oil and gas leasing on Indian lands held in trust by the U.S.," and rendered an overview of the procedures for leasing oil and gas resources on Indian lands. Other witnesses harshly criticized the U.S. Geological Survey, which is responsible for monitoring production of oil and gas on Indian lands.

In an article in the Denver Post Mar. 2, Senator John Melcher (D-MT) said that Interior Secretary James Watt would ask Congress for an additional \$15 million to help the U.S. Geological Survey better monitor oil and gas

production on Indian and Federally-owned lands. Melcher said that the funds would be used to hire additional oil field inspectors and to speed up the establishment of a sophisticated computerized accounting system.

Watt appears to be extending his influence beyond the Department of Interior, reports the Wall Street Journal Mar. 20. Watt heads up a Cabinet Task Force on Energy, overshadowing Energy Secretary Edwards; Interior may take over some of the duties of the Council on Environmental Quality; and since Watt is an old friend of EPA head Anne Gorsuch, he is also likely to have influence in that area. According to the Journal, "A liberal House Democrat calls Watt 'a zealot,' charging he seeks to 'repeal basic legislation' by cutting department funds and personnel."

HEALTH AND HUMAN SERVICES

The Lac Courte Oreilles Tribe has been awarded exclusive jurisdiction in child custody proceedings over Indian children who live on or near the tribal reservation in Wisconsin, according to the Federal Register Mar. 6. The tribe's original petition for jurisdiction was denied in April 1980. Former Assistant Secretary for Indian Affairs Fredericks reversed the ruling in favor of the Indians, becoming effective May 5, 1981.

HOUSING

Indian Housing officials take note: Hearings on the FY 82 budget cuts for Indian Housing Programs will be held before the House Interior and Insular Affairs Committee Apr. 3 at 9:45 A.M. in Room 1324 of the Longworth House Office Building. Scheduled witnesses include representatives from HUD, IHS and BIA.

Rescue Indian Housing! The Native American Rights Fund (NARF) is initiating a blitz of Congressmen and other Washington officials to drive home the fact that Indian programs are being cut more than are any other Federal housing programs. In addition, the blitz will protest proposed zero funding for water and sanitation through the Indian Health Service. Write your Senators and Congressmen now, and contact Ada Deer at NARF, (202) 785-4166, for additional information on coordinating protest efforts.

Reagan's budget proposals plan elimination of the \$13 million supplemental appropriation for IHS and zeroes out funding for essential water and sewer facilities for FY 82. If this funding is eliminated, 10,673 homes already funded will be without water and sanitation facilities according to the Housing Assistance Council. Because unique coordination is required to supply water and waste disposal facilities at the appropriate time to meet housing construction needs, continued IHS funding is necessary. Write your elected officials to voice your opposition.

The Mutual Help Homeownership and Occupancy Program (MHOP) is the subject of a project The Clary Institute has been working on for HUD since last October. Under this project, we are developing materials housing counselors can use to tell interested tribal members about MHOP. The two specific topics we're addressing are an overview of the Mutual Help Program (what tribal members can get out of it and what they have to put into it) and Homeowner Rights and Responsibilities under the program. When completed, the materials TCI is developing will include two 10-minute slide-sound presentations, two brief and easy-to-read booklets for program participants and a set of guidelines for counselors on how to use the materials effectively. We're coordinating with personnel in the Housing Counseling Branch of NVACP and in the Office of Indian Housing to complete these materials.

LAND/ENVIRONMENT

Interior Secretary Watt has moved to expedite oil and gas exploration in the environmentally sensitive Arctic Wildlife Range on Alaska's Northeastern Coast, according to the Washington Star Mar. 13. Following a discussion with the Alaska Republican Congressional delegation, Watt said he has directed the U.S. Geological Survey instead of the Fish and Wildlife Service to direct the oil and gas studies. Environmentalists voiced their concern by issuing a statement that Watt was not seeking to balance development against environmental interests but merely acting in favor of the oil and gas industry.

An extended comment period for the proposed rule to provide for tribal regulation of reserved waters on Indian reservations was published in the Federal Register Mar. 16. Due to broad interest generated by this proposed rule, the comment period has been extended to June 6, 1981, to allow all interested persons the full opportunity to comment. Send written comments to: Daniel Rosenfelt, Office of the Solicitor, Department of the Interior, 18th & C Street, N.W., Washington, D.C. 20240, (202) 343-6967.

New maps showing Federal conservation areas in the state of Alaska are now available from the U.S. Geological Survey. These maps show the boundaries for 36 Federal conservation areas compiled in accordance with the Alaska National Interest Lands Conservation Act. The maps use a special "3-D" effect to depict the entire state and to emphasize the dominant terrain features. Copies are available for \$2.00 from the Branch of Distribution, U.S. Geological Survey, Box 25286, Denver Federal Center, Denver, CO. 80225, and Eastern Distribution

Branch, 1200 South Eads Street, Arlington, VA. 22202. Alaska residents may order from the Distribution Section, U.S. Geological Survey, Federal Building, P.O. Box 12, 101 12th Avenue, Fairbanks, AK. 99701. Orders must state title and scale of map requested -- either 1:5,000,000 or 1:2,500,000.

TRIBAL ADMINISTRATION AND FINANCE

Earlier in this issue, we mentioned that tribes may have to look for ways to streamline their staffs in this era of widespread budget cuts. For tribal chairmen interested in taking a planned approach, The Clary Institute can help. We can also provide on-site consulting and technical assistance to aid staff members in streamlining the mix of programs a tribe is using. Through program evaluation, tribal leaders can determine whether current programs are effective or ineffective-- and then make well-informed decisions on what to do about these programs.

If you are interested in these services--or in planning, training or dealing more effectively with those in Washington who are making decisions that affect your tribe--call me (Tom Clary) at 202/333-6350 and let's talk about it. I'll also send you a copy of the TCI Capability Statement which lists all the services we offer as well as examples of our recent experiences with both Indian and non-Indian organizations and people. As a 100 per cent American Indian-owned business, TCI qualifies under "Buy Indian" and Section 7(b) (Indian preference) of P.L. 93-638.

Due to lack of action by the national Indian public interest groups, individual tribal chairmen are speaking out to the Administration and Congress on budget cuts affecting all tribes. Groups visiting with Congressional delegations on Capitol Hill and Administration officials recently include the Great Lakes Inter-Tribal Council (GLITC) and the United South and Eastern Tribes (USET) Board of Directors.

A position paper sent to President Reagan recently came from Chief Phillip Martin, Mississippi Band of Choctaw. A copy is attached. You may want to use this paper as a model for drafting your own letters to Congressional committees and Administration officials.

Until next time ...
May the Great Spirit Guide You!



Thomas C. Clary, Ph.D.
President
The Clary Institute

Erica W. Clary
Chairman/Director
The Clary Institute

FACT SHEET

SUBJECT: Government-wide Funding for Indian ProgramsBudget Authority (\$ in millions)

	1980 Actual	1981 Estimate	1982 Carter Budget	1982 Reagan Budget	1982 Δ
Education.....	484	528	536	492	-44
Interior.....	(270)	(274)	(282)	(266)	(-16)
Education.....	(214)	(254)	(254)	(226)	(-28)
Health Services/Nutrition	583	652	708	680	-28
HHS.....	(547)	(607)	(655)	(627)	(-28)
USDA.....	(36)	(45)	(53)	(53)	(-)
Housing.....	867	829	727	18	-709
Interior.....	(19)	(23)	(24)	(18)	(-6)
HUD.....	(848)	(806)	(703)	(0)	(-703)
Social Services.....	121	124	130	118	-12
Interior.....	(87)	(90)	(96)	(90)	(-6)
HHS.....	(34)	(34)	(34)	(28)	(-6)
Employment.....	250	203	249	136	-113
Interior.....	(52)	(46)	(46)	(34)	(-12)
Labor.....	(198)	(157)	(203)	(102)	(-101)
Economic Development.....	88	84	92	62	-30
Interior.....	(26)	(28)	(29)	(28)	(-1)
Commerce.....	(26)	(19)	(26)	(0)	(-26)
HUD.....	(36)	(37)	(37)	(34)	(-3)
Natural Resources.....	74	87	87	86	-1
Interior.....	(74)	(87)	(87)	(86)	(-1)
Trust Activities.....	51	45	48	48	-
Interior.....	(51)	(45)	(48)	(48)	(-)
Management & Facilities..	131	141	151	151	-
Interior.....	(131)	(141)	(151)	(151)	(-)
Construction.....	251	247	319	194	-125
Interior.....	(160)	(149)	(172)	(156)	(-16)
HHS.....	(74)	(76)	(117)	(8)	(-109)
Education.....	(17)	(22)	(30)	(30)	(-)
Other Interior Funds.....	153	165	144	127	(-17)
Revenue Sharing.....	10	11	11	11	-
TOTAL FEDERAL FUNDS.....	3,063	3,116	3,202	2,123	-1,079
INTERIOR TRUST FUNDS.....	969	511	465	465	-
TOTAL FEDERAL/TRUST.....	4,032	3,627	3,667	2,588	-1,079
Est. Federal funds per capita	\$4,400	\$4,450	\$4,600	\$3,000	-
Est. Federal funds per					

FACT SHEET

SUBJECT: Government-wide Funding for Indian ProgramsOutlays (\$ in millions)

	1980 Actual	1981 Estimate	1982 Carter Budget	1982 Reagan Budget	1982 Δ
Education.....	438	443	457	416	-41
Interior	(247)	(243)	(249)	(235)	(-14)
Education.....	(191)	(200)	(208)	(181)	(-27)
Health Services/Nutrition..	558	641	693	671	-22
HHS.....	(525)	(598)	(642)	(620)	(-22)
USDA.....	(33)	(43)	(51)	(51)	(-)
Housing.....	141	168	197	192	-5
Interior.....	(17)	(20)	(21)	(16)	(-5)
HUD.....	(124)	(148)	(176)	(176)	(-)
Social Services.....	106	107	113	103	-10
Interior.....	(78)	(79)	(85)	(79)	(-6)
HHS.....	(28)	(28)	(28)	(24)	(-4)
Employment.....	237	192	237	128	-109
Interior.....	(45)	(40)	(40)	(29)	(-11)
Labor.....	(192)	(152)	(197)	(99)	(-98)
Economic Development.....	91	89	97	87	-10
Interior.....	(31)	(33)	(34)	(33)	(-1)
Commerce.....	(24)	(19)	(26)	(19)	(-7)
HUD.....	(36)	(37)	(37)	(35)	(-2)
Natural Resources.....	66	70	77	76	-1
Interior.....	(66)	(70)	(77)	(76)	(-1)
Trust Activities.....	56	38	45	45	-
Interior.....	(56)	(38)	(45)	(45)	(-)
Management & Facilities....	121	131	133	133	-
Interior.....	(121)	(131)	(133)	(133)	(-)
Construction.....	274	273	255	210	-45
Interior.....	(189)	(170)	(139)	(125)	(-14)
HHS.....	(73)	(88)	(98)	(67)	(-31)
Education.....	(12)	(15)	(18)	(18)	(-)
Other Interior Funds.....	142	153	134	117	(-17)
Revenue Sharing.....	10	11	11	11	(-)
TOTAL FEDERAL FUNDS.....	2,220	2,316	2,447	2,187	-260
INTERIOR TRUST FUNDS.....	794	406	324	324	-
TOTAL FEDERAL/TRUST.....	3,014	2,722	2,771	2,511	-260
Est. Federal funds per capita.....	\$3,200	\$3,300	\$3,500	\$3,100	-
Est. Federal funds per family of four.....	12,800	13,200	14,000	12,400	-

POSITION STATEMENT BY PHILLIP MARTIN

The Office of Management and Budget has proposed to consolidate over 40 social and health programs into a single block grant to the states as a part of the on-going budget-cutting process. In addition, there is discussion of decategorizing educational programs and block-granting them to the states. The deliberate process for gaining input has included meetings and hearings involving the National League of Cities; the Association of State, County and Local Officials; the National Governor's Conference; and the National Conference of Mayors. To date, however, this process has not included participation by representatives of nearly 500 federally recognized Indian tribes and organizations, representing more than 1 million members. These tribes own more than 100 million acres; the aggregate reservation lands equal in area all of the combined New England States, plus Delaware and New Jersey, and in most situations constitute jurisdictions for tribal members apart from the operation of state laws and state governments. They are responsible for their own self-governance and are recognized through a specific portion of the Commerce Clause of the United States Constitution, since as early as the Marshall Supreme Court, as quasi-sovereign entities. Three hundred eighty different treaties, an entire volume of federal statutes, 800 pages of federal regulations, hundreds of opinions of government lawyers and thousands of court decisions, spell out a relationship principally with the federal government and to the exclusion of the states that is inextricably established and commonly recognized under the term "trust responsibility." To date, the proposed block grant consolidation activities have failed to take into account these special circumstances.

This is due no doubt to the relatively minor level of political power of Indian people, and the federal government usually overlooks these legal relationships. Several pieces of block-grant-type legislation define Indian tribal governments as local governments, which, of course, they are not. Others treat tribes as states. One designates the Bureau of Indian Affairs as the "Indian state," and designates the Commissioner of Indian Affairs as the "Governor."

Legislative enactments which do not mention tribes at all and which involve block grant funding usually work to the disadvantage of members of federally-recognized Indian tribes. Even though, by law, these people are citizens of the states in which they reside; state governments usually do not treat them as such in the distribution of state funds, including the funds provided the state by the federal government which include Indians in their allocation, and consider tribes to be a separate federal effort. States are in part justified in this approach because legally they have no jurisdiction over Indians on reservation. Indian people, however, end up "falling through" these jurisdictional "cracks," and receiving few needed services at all.

Title XX of the Social Security Act, which does not mention tribes, and the involvement of the Mississippi Band of Choctaw Indians with it, is a good example. We have been dealing with the State of Mississippi on Title XX since 1975; but we have yet to receive any Title XX benefits. First, the state Department of Public Welfare (DPW) cited a pending court case in which our federal recognition was questioned to turn down a family services proposal. After the United States Supreme Court has decided that case in our favor, DPW maintained, in response to a day care proposal, that it could only fund non-profit institutions and public (that is, state or local) agencies; and the Mississippi Band of Choctaw Indians fell into neither category. We proceeded to demonstrate to DPW through the legal records that we were a public agency though neither state nor local, and eligible. That hurdle past, DPW said it did not wish to fund what in their eyes would be a segregated facility. DPW has now been given assurances that the day care facility will serve all persons in the local area, and we are now awaiting word on contract award. Yet, because the social programs block grant proposal includes a 20 per cent funding reduction, we are not optimistic that the state will fund a new Indian

project in lieu of some of its ongoing projects.

On the other hand, other block grant legislation, from the Comprehensive Employment and Training Act to the new Title VI of the Older Americans Act, in which provision has been made for direct grants to federally-recognized tribes outside of the state process, has been beneficial to tribal self-determination and encouraging to tribal self-sufficiency. This approach maintains the integrity of the tribal-federal relationship and aids tribes in the creation of tribal governmental institutions for self-development, and eliminates state agency categorization and other red tape.

This tribe has made significant gains recently in the area of industrial development because of block grant mechanisms with an Indian set-aside. By this fall, we will have created over 515 permanent jobs in two tribal enterprises, thus raising incomes, developing the reservation economy, and reducing federal dependency. At times in this process, as we were dealing with major private industries, we have had to move rapidly. Critical to establishment of both of these industries was rapid implementation of on-the-job training, which we were able to do because we are our own CETA prime sponsor. Had we been required to proceed through the state CETA program, the private industries would have become impatient, we could not have obtained the 515 jobs, and our dependency would not have been reduced.

The block-grant-with-Indian-set-aside approach (usually expressed in terms of a percentage of total) most closely addresses unique Indian needs on a federal departmental or program basis. It, however, requires a separate, though small addition to each department's bureaucracy to monitor block grant administration at the tribal level. Because we realize the necessity of the Administration's aim to reduce the size of the federal bureaucracy during a time of inflationary crisis, we would suggest consolidation of the various block grant Indian set-asides and a "pass through" to tribes under the monitoring function of a single agency. This would require only a minimal amount of additional administrative costs at the federal level.

Logically, this agency would be the Bureau of Indian Affairs for the federally-recognized tribes. The Administration might also consider along with this "pass through" approach, the reconsolidation of the Bureau and the Indian Health Service. We might point out parenthetically that a plurality of the programs proposed for Social Services and Categorical Health Consolidation under block grants are Health Services Administration-run programs from which tribes have been excluded, in part because there has been an assumption that IHS serves total Indian health needs.

Of even more concern than health and social services, though, is education, Indian tribes have long realized that the only hope for the eventual equalization of the Indian standard of living with that of the rest of the country is the education of Indian children. The strength of this concern was shown in the massive opposition of tribes to the creation of the Department of Education and the possibility that Bureau-administered education programs might be transferred to it.

The Bureau of Indian Affairs is currently charged with the responsibility for educating Indian children, reflected in the School Operations line of the Bureau budget and recently made subject to an inter-school allocation formula prescribed in public Law 95-561. Basically, BIA School Operations is the minimal level of classroom instruction equal to that provided in local non-Indian school districts by state and local taxation. For any specialized services, tribes must look to the current Department of Education programs for which, historically, tribes have not competed very successfully with non-Indian school districts. (An exception is Title I ESEA, which is "passed through" to the Bureau.) Block-granting of these

programs to states without an Indian set-aside would almost certainly result in the exclusion of some of the Indian public school districts, and all federally-operated Bureau schools.

In the area of Indian housing, we would suggest that if authority for HUD programs could not at this time be transferred to the Bureau, that at least the new Indian area office structure be maintained so the unique nature of Indian housing problems can be addressed directly. The problems of tribes are so culture-specific that there must be a separation in their federal administration, if not through transfer to the BIA, through maintenance of Indian offices, not only in housing, but in most other areas.

Of special concern to tribes is the category of reservation economic development. As we pointed out above in our discussion of the efficacy of the CETA block grant arrangement, we have recently seen notable successes in industrial development on our reservation. We have, in fact, broken new ground by becoming the first tribe to mobilize the resources of state industrial revenue bonds. Because this type of success reduces tribal dependency on the federal government in welfare, nutrition programs, medical care, and, in general funds provided because of lack of an economic infrastructure which tribes can tax; we view with some alarm the proposals to eliminate the loans and grants of the Economic Development Administration, the BIA industrial and business development programs, and CETA--especially CETA's private sector program. The third-world economic enclaves known as reservations are a drag on the national economy as a whole, and the "bootstrap" activities represented by the programs proposed for elimination are essential. Since they are slated for defunding, there appears little possibility for block grants to tribes here. We would, however, urge the Administration to consider substantial Indian set-asides through the BIA for future reservation development programs, including the designation of reservations as targeted enterprise zones.

In summation, we would say that the concept of tribal sovereignty requires direct tribal inclusion in the block grant process, in the same way that the concept of states' rights serves as the rationale for that process. As the President pointed out in his statement of September 26, 1980;

History tells us that the only effective way for Indian reservations, and Indian communities, to develop is with local Indian leadership. Bearing in mind the legal and historical background, tribal governments must play the primary role in Indian affairs. State and non-Indian local governments can at best play a secondary role.

The concern to maximize state and local control should not overlook the constitutionally-mandated governmental control exercised by the federally-recognized Indian tribes, and the necessity for strengthening tribal governmental institutions. Indian set asides in the block grant process would assure a greater emphasis on the federally-recognized tribes in developing their communities, educating their people, providing quality health care, upgrading housing to standard, and developing tribal resources, including natural resources and economic and business potential. All of these represent steps in decreasing dependence on the federal government. While decreasing the level of dependence is an aim, the special federal responsibility for the unique institutions of tribal governments must, by law, be preserved. The record has proven that federally-recognized tribes cannot rely on the states. The special federal relationship cannot be broken at

at this point.

Over little more than a decade, federally-recognized tribes have made tremendous progress in the face of tremendous odds, through implementation of the policy of Self-Determination. Our communities are much improved and our people are better educated than ever. To reverse this progress would be a sign of weakness on the part of the federal government and would actually result in higher costs to the federal government in the long run, as tribal self-sufficiency diminished and the population returned to the welfare rolls.

To date, no one in the federal government has been concerned or requested our input into the proposed budget cuts, including those to be implemented in tandem with block-granting. The federal government is primarily responsible by law for providing assistance to federally-recognized Indian tribes and their members. Many groups of people claiming Indian status have received a great amount of federal funds over the past several years, but it is not incumbent upon the federal government to serve these people as it is with the members of federally-recognized tribes. Finally, we would point out that urban members of federally-recognized tribes do need continued direct federal assistance, at least in part because it was the federal government that relocated them to the cities, ill-prepared, in the 1950's.