

## Native Americans face relocation disaster

by Rosanne King

In less than eight months, 14,000 Native American people will be forced from their ancestral homeland.

The Navajo Hopi Land Settlement Act, (P.L. 93-581) passed in 1974, was the result of an alleged land dispute between Navajos and Hopis over 1.8 million acres known as the Joint Use Area. The measure partitioned the land, ordered a construction freeze and a 90 percent reduction in livestock herds.

It also formed a commission to relocate all Navajos and Hopis living in the area by July 1986.

Pro-development forces favor the relocation, which is strongly opposed by traditional people in both tribes. The area in question, near the Big Mountain area of northeastern Arizona, is rich in coal, uranium, oil and water.

Congress earmarked \$85.5 million to continue the relocation in September despite testimony that the program is an "unprecedented disaster."

Leon Berger, executive director of the Relocation Commission, resigned in January 1982. He said the program is disastrous and "would not work." Roger Lewis, one of three federally appointed relocation commissioners, resigned five months later. He described the Commission as being "as bad as the people who ran the concentration camps in World War II."

The relocation will mean many people will be forced into nearby cities. According to Jane Kelly of the Northwest Big Mountain Support Group, if those people disposed for relocation do not apply for relocation aid by December, they will be forced to relocate with no assistance from the Bureau of Indian Affairs.

Opponents of relocation are intensifying their efforts to repeal the Settlement Act. Videos and cassettes are in production and Kelly said "millions of people" on mailing lists will be contacted. An east coast conference is in the planning stage and a Witness for Peace Program is also underway. Women's media networking is being emphasized.

The Democratic Part of King County, Wash., has endorsed repeal and supporters are urged to contact their congressional representatives to urge repeal of the act. Rep. Les AuCoin, a member of the House Appropriations Committee, is a good contact and correspondence should be sent to him in



Washington, D.C., 20515.

Relief supplies of food, tools and clothing are also needed.

In the words of Pauline Whitesinger, Navajo elder from Big Mountain, "In our traditional tongue, there is no word for relocation. To move away means to disappear."

If you can help, please contact the Northwest Big Mountain Support Group at 236-0399, P.O. Box 42640, Portland, OR 97242.

## Supreme Court to rule on right to privacy

The Supreme Court agreed on November 4 to decide whether the state of Georgia has a "compelling interest" in enforcing an anti-sodomy statute which makes it a crime to participate in "any sexual act involving the sex organs of one person and the mouth or anus of another."

The case, *Hardwick v. Bowers*, involves a gay man who was arrested in his own home by a policeman who observed the man engaging in a consensual sexual coupling with another man.

The charges against the man, Michael Hardwick, were dropped, but he challenged the law on the basis that it violated his right to privacy. Hardwick's case was dismissed by a district court, but the 11th Circuit Court of Appeals in Atlanta, ruled in May that the Georgia statute "infringes" upon the fundamental rights of the homosexual and that the statute is "beyond the proper reach of state regulation."

The opinion, written by Circuit Court Judge Frank M. Johnson, also states that "the state must prove in order to prevail that it has a compelling interest in regulating this behavior."

In appealing Johnson's ruling, the Georgia attorney general's office argued that sodomy statutes have been embodied in U.S. laws since the American Revolution and that a right to engage in sodomy was never contemplated by the Constitution.

Many courts have endorsed that rationale. In October, for example, the sodomy law in Texas was upheld by a federal appeals court, which referred to "the strong objection to homosexual conduct which has prevailed in Western culture for the past seven centuries."

Expectations are that a petition will be filed by the end of the month to consolidate the Georgia and Texas cases. Legal arguments in both cases involve the conflict between the limits of regulating private behavior and interests of the state in enforcing traditional morality.

## Raytheon taken to trial over AIDS discrimination

SAN FRANCISCO — Raytheon Company, a major Defense Department contractor, will have to defend itself this week against charges of discriminating against an employee who had AIDS. This is the first such case to go to trial in the United States.

Jean O'Leary, NGRA Executive Director, said: "We are putting employers on notice in this state. They cannot mistreat someone with AIDS and then get away with it because the employee dies." O'Leary commented further that Chadbourne's claims accrue to his estate and when Raytheon is forced to pay that will set a new legal precedent which will act as a deterrent to other employers.

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