

# Favorable Legislation Moves Quietly Through Capitol

Dozens of moccasined feet are beginning their "Longest Walk" to the nation's capitol and delegations of Indian leaders are meeting regularly and heatedly among themselves and with their congressmen to register their opposition to numerous "backlash" or anti-Indian bills that now are before Congress.

In the meantime several pieces of proposed legislation generally considered to be favorable to Indian people are quietly making their way into committees and onto the House and Senate floors. Ranging from the protection of Indian religions to the extended life of the Senate Select Sub-Committee on Indian Affairs, the bills cover a lot of territory but in smaller, less dramatic steps.

Reviewed here are nine soon-to-be-introduced and pending bills and resolutions that may bode well for the Confederated Tribes and people throughout Indian country.

**SOON TO BE INTRODUCED**  
**Tribal-State Compact Act of 1978** - Written by Senator James Abourezk (D-S.D.) who plans to introduce it any time, the bill would authorize the states and Indian tribes to enter into mutual agreements and compacts regarding jurisdiction and governmental operations in Indian country.

As a means of resolving jurisdictional disputes, the mechanism suggested by the bill would allow mutual agreements at a local level without the restrictions of federal law.

Background language of the bill reads: "There is need for clarification of the jurisdiction of the respective tribes and the state and local governments; but this clarification need not be premised on the destruction of one government to clarify the authority of the other. By the same token, the tribes and the states cannot continue to meet their respective governmental responsibilities in total isolation from each other. In recent years there have been cooperative agreements between states and tribes regarding the operations of their governments, and there are increasing expressions of interest from state and tribal authorities to enter into compacts and agreements respecting their mutual authorities and responsibilities. It is the responsibility of the Congress to facilitate this process."

The Tribal-State Compact Act is presently being circulated among Congressmen for comment and co-sponsorship, said Mark Phillips, a member of Jay Edwards Associates lobbying firm in D.C.

**Indian Program Evaluation and Needs Assessment Act of 1978** - Also written by Sen. Abourezk and being circulated for comment and cosponsorship is a bill that would require all federal agencies doing Indian business to make annual reports on what they did and how much they spent on grants and contracts for Indian services.

Reports would be submitted by July 30 of each year to the Secretary of the Interior and the Assistant Secretary for Indian Affairs, to be collected into one single annual report to Congress.

The second part of the bill would require all federal agencies to draw up needs assessment reports on the projected needs of the Indian tribes with whom they do business and the



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programs they are administering. These reports would be circulated among the Indian tribes for review and comment and submitted to the Secretary and Assistant Secretary of the Interior.

**Bill to Extend the Life of the Senate Select Sub-Committee on Indian Affairs** - The Sub-Committee on Indian Affairs was set up at the beginning of the 95th Congress to handle Indian legislation only for the duration of that session. An attached proviso specified that the Committee would at the end of the 95th Congress become a sub-committee of the Senate Full Committee on Human Resources.

However, Senators Abourezk, Barry Goldwater (R-AZ) and George McGovern (D-SD) are sponsoring a bill that would keep the Sub-Committee active through the next Congressional Session.

**PENDING**  
**American Indian Religious Freedom (S.J.R. 102)** - The introduction of this resolution in the Senate by Sen. Abourezk December 15 during Human Rights Week was a ceremonial occasion attended by a delegation of religious leaders from the Yakima Nation.

The resolution ensures the rights of American Indians, Eskimos and Native Hawaiians to access to religious sites, use and possession of sacred objects and the freedom to worship through ceremonial and traditional rites.

Recognizing Indian religious practices as "integral parts of their culture, tradition, and heritage...forming the basis of Indian identity and value systems," the resolution intends to adjust for the "lack of a clear, comprehensive, consistent federal policy" that "has often resulted in the abridgment of religious freedom for traditional American Indians."

S.J.R. 102 was co-sponsored by Sens. Hubert Humphrey (D-MN), Edward Kennedy (-MA), Daniel Inouye (D-Hawaii), Spark Matsunaga (D-Hawaii), Mike Gravel (D-Alaska), Ted Stevens (R-Alaska), Mark Hatfield (R-OR), Dewey Bartlett (D-OK), and Barry Goldwater (R-AZ).

The resolution protecting and preserving American Indian religious freedom will be introduced in the House later this month by Rep. Morris Udall (D-AZ), chairman of the House Interior Committee.

**Self Determination Act Amendment (S-2460)**

Introduced by Sen. Abourezk on January 31, this piece of legislation would amend the In-

dian Self-Determination Act by adding a third title to that law (P.L. 93-638). It would enable tribes to be awarded single grants consolidating some or all of the BIA and IHS services currently contractable separately.

According to Mark Phillips of Jay Edwards Associates, the single grant mechanism will eliminate much of the red tape and paperwork that exists under the current system which requires single contracts for each service.

But Warm Springs' Grants Planner, Art Tassie, feels that the legislation is unnecessary since this reservation is currently able, under one document, to process several contracts at one time. "It sounds revolutionary, but it doesn't allow us to do anything we can't do right now," he remarked.

However, the legislation may be of benefit to other tribes, permitting better long range planning. The bill has been referred to the Senate Select Committee on Indian Affairs, where it is pending.

**Indian Child Welfare Act** - Passed by the Senate on November 4, this bill has been referred to the Interior Sub-Committee on Indian Affairs and Public Lands. Hearings were held February 9.

The bill establishes standards for the placement of Indian children in foster and adoptive homes and authorizes the establishment of family development centers on reservations.

First preference in placement would go to members of the child's extended family, then to Indian homes on reservations, or to tribally licensed homes. Tribes would be able to request transfer of placement cases from state to tribal courts.

**Tribally - Controlled Community College Assistance Act** - The Senate bill was passed November 4 authorizing \$125,000 plus \$5,850 for each full-time student for the operation of eligible institutions. The total three-year appropriation would amount to \$95 million. In addition, the bill requires that a Department of Interior study be conducted on the need for facility construction and renovation.

The House bill is similar, but with less per student allocation and the authorization of such funds as may be necessary to carry out a construction program. Phillips of Jay Edwards Associates said he expected the House bill to eventually reflect the Senate bill's provision.

Hearings have been held by the Education and Labor Post-secondary Education Sub-Committee, with additional hearings being discussed.

**Indian Tribal Tax Act** - Reported out of the House Ways and Means Committee, there has been as yet no floor action on this bill which would (a) make contributions to tribal governments tax exempt, (b) enable people who pay taxes to a tribal government to deduct them from their federal taxes,

and (c) allow tribal governments to issue tax exempt bonds (except for industrial and commercial activities other than on-reservation utility services and industrial development).

A similar bill has been introduced in the Senate by Sen. Bob Packwood (R-Oregon) and is now pending in the Senate Finance Committee's Sub-Committee on Taxation and Debt Management.

**The National Energy Act - Small Hydroelectric Projects** - Of particular interest to the Warm Springs Reservation because of tentative plans to install generators in the Pelton Re-regulating Dam, this small portion of the bogged-down energy bill would authorize a Department of Energy loan program to encourage the development of small hydroelectric facilities at existing dams. Loans of up to 90 per cent of the cost of feasibility studies for hydro projects could be granted to the owners of a dam.

House and Senate conferees have agreed on this portion of the bill but are hung up on crude oil and natural gas segments of the energy bill. If it becomes apparent that the whole energy bill cannot be reported out of conference as one big package, the section containing the hydroelectric projects may be separated out, according to Phillips.

(Thanks to Jay Edwards Associates, Vince Lovett's Indian News Notes, and the Shoban News for much of the above information.)

## American Indian Programs Via NASA Satellite

**Crow Agency, Montana** - The first practical demonstration of a communications satellite's ability to provide televised educational material programmed exclusively for American Indians will take place at the Crow Agency, Montana, and a second site (still to be selected) in early April, 1978, according to a joint announcement by the Crow Agency here and the American Indian Communications Center (ComCenter), Los Angeles.

According to the announcement, demonstration broadcasts lasting up to three hours each will take place on April 10, 12 and 14, with the programming beamed from the Communications Technology Satellite (CTS) to the Montana and other locations, where representatives from many tribes are expected to gather.

The National Aeronautics and Space Administration's (NASA) CTS satellite, a joint development of the U.S. and

Canadian governments, has transmitting power levels 10 to 20 times greater than previous communications satellites. Programming can be beamed to all 50 states and all areas of Canada. CTS has a stationary orbit, remaining above a point off the west coast of South America.

According to NASA engineer Jerry Elliott, an Osage Indian, "We want to see American Indians benefit from space-age technology and CTS is one of the most advanced forms of communications satellites in existence. The potential for education is virtually unlimited." Elliott, who has been involved in the CTS project from the outset, was the first to see potential in the concept for American Indians.

Jerry Thompson, (Cherokee), founder of the American Indian Communications Center, noted that the ComCenter is currently working on acquiring relevant program material for the demonstration. "We're work-

ing with the Crow Agency's Central Education Commission to present programs which will expose the full range of communications potential." Subjects can include general education, health care, cultural heritage, agriculture, weather and technical instruction. Also possible, due to CTS's two-way communication capabilities, are inter-tribal conferences.

"By making it ultimately possible to reach the broadest number of reservation, urban and rural Indians with a single broadcast," noted Elliott, "communication by satellite represents the most exciting method on the horizon for improving the quality of American Indian life through education and communication."

For further information, contact Sam Windy Boy, (Chippewa-Cree), demonstration site coordinator, at Box 370, Crow Agency, Montana, 59022. (406) 638-2337.

## Get Stuck? Here's Some Advice

Many people, and you know who you are, have been getting stuck recently on or near the reservation. One of the many ways to prevent getting stuck, is to be familiar with the area you're going to and know the condition of the roads you'll be using.

For anyone who is planning to travel on uncertain roads or gets stuck on them, Terry Luther of the Natural Resources department has some advice.

### TRIP PREPARATION

Leave a note or tell some-

one the route you plan to take and what time you will return.

Equip your vehicle with emergency gear: shovel, jack, axe, flashlight, first aid kit, blankets, food, matches, etc.

### EMERGENCY MEASURES

If you have a C.B. radio monitor channel 9.

If you can walk out "safely" do so. Leave a note with your vehicle stating what time you left the vehicle and the road or direction you took.

Take notice of landmarks in the immediate area. This infor-

mation is important to pinpoint your location.

If you are injured or do not know what direction to go to get help - STAY WITH THE VEHICLE.

Do not try to walk out during the night.

If you walk out notify the Police Dept. as soon as possible that you are safe.

Individuals who are looking for lost persons should coordinate with agencies involved in the search and rescue operations.