

Regulations for tribal charters established Indian News Notes

by Vince Lovett

Regulations establishing procedures for Indian tribes seeking to form tribal constitutions or charters, or make changes in existing ones, were published in the **Federal Register** January 7, Commissioner of Indian Affairs William E. Hallett said.

The purpose of the new regulations is to provide uniformity and order in holding elections, authorized by the Secretary of the Interior, to vote on constitutions and bylaws or charters. The new regulations will be applicable to tribes, including those in Oklahoma and Alaska,

previously governed by three different sets of regulations, published and unpublished.

A significant change, introduced by new regulations, is that the signatures of at least 60 percent of the adult members of a tribe are required for any effective petition requesting reorganization. Previously, a petition signed by one-third of the adult members was considered valid.

A proposal to eliminate petitioning by tribal members as a way to initiate a tribal reorganization was rejected, following comments on the proposed regulations published in July 1979.

Related regulations to established procedures for the formulation and submission of petitions, when this process is valid according to the tribal constitution or certain Federal statutes, are being published simultaneously in the **Federal Register**.

The new regulations become effective 30 days after publication.

For additional information contact Robert Farring, Bureau of Indian Affairs, 19th and C Streets, N.W., Washington, D.C. 20240, (202/343-2511).

PASSAGE OF NORTHWEST FISHERIES ACT CALLED "VICTORY FOR THE TRIBES:"

The Columbia River Inter-tribal Fish Commission has called the passage (Dec. 22, 1980) of the Salmon and Steelhead Management and Enhancement Bill (P.L. 96-561) a "victory for the tribes." A news release issued by the commission said the following:

"As well as enabling the tribes to work more closely with state and federal fishery agencies, the new management structure must promote harvest strategies and regulations which encourage increased tribal investments in salmon and steelhead production. Passage of the bill in its current form is a victory for the tribes, because unlike earlier drafts it contains no limitations on steelhead fishing by tribal fishermen. It does provide, however, that both commercial and recreational fishermen, along with the treaty tribes, will have a reasonable opportunity to participate in the benefits of salmon and steelhead resources development."

"The legislation is another sort of victory because it emphasizes implementation. Strict requirements for agreement and action on implementation before enhancement funds are disbursed may eliminate some of the previous frustration caused by plans that never get beyond the planning stage."

DEPARTMENT OF EDUCATION GRANTS TOTALLING \$22.6 MILLION FOR INDIANS:

An end-of-the-year news release from the Department of Education announced the award of 164 grants totaling \$22.6 million to improve education for American Indian children and adults.

The Indian Education Art grants included \$4.7 million for tribes and organizations operating schools for Indian children; \$12.5 million for curriculum development, the training of teachers and others education personnel, the operation of after-school centers and similar activities; and \$5.4 million for adult education.

The Navajo Tribe, with four grants totaling \$847,453, was the greatest beneficiary of the awards. The LacCourte Oreilles Tribe of Wisconsin received the most awards—six—and the second highest funding of \$809,156. Other recipients of multiple awards were the All Indian Pueblo Council, New Mexico, \$787,105; United Indians of All Tribes Foundation, Washington, \$711,868; Red School House, Inc., Minnesota, \$690,790; and the Lumbee Regional Development Association, Inc., North Carolina, \$540,248.

WATT SAYS HE WILL SUPPORT REAGAN'S INDIAN POSITIONS 'WITHOUT RESERVATION':

On the first day of Senate confirmation hearings for James Watt, President-elect Reagan's nominee for Secretary of the Interior, Watt was asked how he could reconcile his views on Indians with Reagan's. Senator Domenici, who asked the question, had noted that Watt's comments on the Jicarilla Apache's right to impose a severance tax on minerals taken from reservation lands seemed at odds with Reagan's expressed views on tribal sovereignty. Watt acknowledged that the position taken by his Mountain States Legal Foundation seemed counter to Reagan's support for tribal sovereignty, but then added, "It is clear who my new boss will be and I will support his positions with reservation." There was silence for a moment, then laughter. Watt joined the laughter and said, "It would perhaps be better to say that I will support his positions enthusiastically."

Watt stated that he would consult with elected Indian leaders, would deal with tribes in a government-to-government relationship and would do everything required of him to carry out his trust responsibility. After Senator Melcher, former chairman of the Indian committee, had mentioned that a group of 176 Indians had signed a telegram opposing Watt's nomination, Senator McClure of Idaho said that several Indian groups had sent telegrams supporting Watt's nomination.

Two other points came up that could have relevance for Indians—but neither was pursued. Senator Bumpers of Arkansas expressed opposition to state severance taxes on minerals and was surprised that Watt endorsed them but opposed the Jicarilla Apache Tax. Watt's explanation was that tribes are not the same as states.

The other point came up when Senator Gary Hart of Colorado questioned Watt about an alleged remark about not trusting a black surgeon to operate on him because the man might have gone to school under an affirmative action program. Watt answered that the remark was taken out of context but said that he believed that discrimination of any sort, whether to provide or deny a job, was a bad idea.

Guide to legal gasoline prices released

Estimated maximum retail gasoline prices as of December 16, for selected locations in Oregon and Idaho were released today by the Department of Energy's District Office of Enforcement in Seattle.

The Department of Energy emphasized that the list is intended only as a guide to give consumers a better idea of approximate legal selling prices in their area. A station charging a higher price than the listed prices in the guide is not necessarily in violation.

Variations in maximum legal selling prices at individual stations can do exist, it was explained. For example, higher maximum legal selling prices may be charged by dealers who purchase gasoline through jobbers rather than directly from terminals operated by the companies listed. Also, the longer the period of time since issuance of the list, the less it will reflect current prices actually being charged.

The estimated maximum retail prices in the area noted were compiled by adding the

maximum allowable markup of 17.7 cents per gallon (except Oregon, where it may be as high as 20.2) to the prices charged to dealers by the companies, plus applicable state and federal taxes. The prices charged dealers were supplied to DOE by the companies.

Motorists who believe they have been charged significantly more than the estimated area prices should call DOE's hotline. The hotline number is 1-800-424-9246.

Main Co. to complete project

Effective January 26 completion of the civil and mechanical design of the Pelton Reregulating Dam Hydroelectric Project to the engineering firm, Chas. T. Main, Inc., to replace the firm Haner Ross & Sporseen of Portland.

Chas. T. Main, Inc. is an engineering firm based in Boston, Massachusetts, but which is known nationwide and internationally for its work on

various types of projects, including hydroelectric.

Chas. T. Main, Inc. was first employed by the Project in November, 1980, to review the general project layout and the geotechnical situation. Their report was submitted in mid-December.

It has been concluded that the transfer of design responsibilities to Main will improve the project, expedite approval and construction, and

help to hold costs within the authorized amounts. Of course, the total costs will be known more specifically after bids are received and opened covering the powerhouse contract.

Chas. T. Main, Inc. has an office in Portland with Mr. George S. Bingham in charge. He will coordinate the work of Main on the completion of plans and specifications for the Pelton Reregulating Dam Hydroelectric Project. His staff will be augmented immediately by a team of additional people from within Main experienced in this type of work.

The electrical engineering firm of Engineering & Design Associates of Tigard, Oregon, will continue to perform the design and preparation of plans and specifications of the electrical portions of the project.

TOE NESS

"You're a man of the world, Big Jim," the physician said. "What ever does that mean, Doctor?" asked big Jim. "The Lab-Tests results show that you are immune to penicillin." YIKES

SS SS SS SS

After attending church, the little boy was asked by his father, who was unable to attend the services, what the sermon was all about. "Well," said his son, "the preacher was trying to persuade the congregation that it was the duty of the rich to give to the poor." And, asked his dad, "did he convince them?" "He was half successful. He convinced the poor." YIKES

SS SS SS SS

Confucius say: "Girls hair always kept neat by bashful boyfriend!" YIKES

SS SS SS SS

There was this guy who was asked if he grew up in a tough neighborhood. "Tough!" he exclaimed. "Why, it was so tough in our neighborhood that a cat with a tail was a tourist!" YIKES

SS SS SS SS

A guy walks up to his friend and said, "I just came from the morgue. He said, "I saw a guy that looked just like you." The friend said, "Did he have dark curly hair?" "Yep!" said the first guy. "Did he have brown eyes?" "No!" "Thank God that wasn't me!" YIKES

SS SS SS SS

SUBSCRIPTION TO SPILYAY TYMOO

SEND SUBSCRIPTION TO

Spilyay Tymoo P.O. Box 735 Warm Springs, Oregon 97761

NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

SUBSCRIPTION RATES: 1 YEAR \$6.00

Enclosed is a Check Money Order

Amount of \$ _____ for _____ Year (s) Subscription.

All Tribal Enrolled Members Will Receive The Spilyay Tymoo at No Cost.

Spilyay Tymoo is Published Bi-Weekly by the Confederated Tribes of Warm Springs.