

Around Washington -

Indian News Notes

By VINCE LOVETT

PROPOSED TRANSFER OF EDUCATION OUT OF BIA IS INDIAN CONCERN: Now that the proposed creation of a Carter-inspired Department of Education is moving toward passage in the Senate, questions about its impact on Indian education programs are being asked. The bill S. 991 has been introduced in the House—H.R. 5113—by Congressman Cecil Hefelfel of Hawaii, but no hearings or other committee action has yet been scheduled. It is most unlikely that BIA, Interior or any other Federal agency will speak against the bill; the President has recently admonished cabinet officers and other staff that he expects Administration proposals to be supported. The transfer of education out of BIA would take almost 8,000 employees and \$250 million; this is about half the employees and 30 percent of the money. It would complicate tribal-Federal Government relations—one more agency to deal with, require some modifications in the Self-determination Act and policy, raise questions about the exercise of Indian preference in the new department and revive the old issue of fragmented Indian services scattered through the different agencies.

ACCORD REACHED, NAVAJO TAKEOVER OF OILFIELD ENDED: Four oil companies reached agreement with local Navajo Indians who had shut down operations of a southeastern oil field on their reservation. The two-week takeover had stopped the daily production of some 25,000 barrels of oil. The companies agreed to employ more Navajos, increase education aid to the Indians, improve environmental safeguards and enforce a strict standard of conduct for their employees on the reservation. The Indians, in turn, dropped their demand that the leases be renegotiated. The present leases, signed in the 1950s, give the tribe a 12.5 percent royalty on roughly \$100 million in annual production. The companies apologized for discourtesy and mistreatment of the Indians and "gave assurances that it would not happen again."

OMAHA TRIBE WINS BLACKBIRD BEND LAND CLAIM. The 8th U.S. Circuit Court of Appeals has overturned a lower court ruling and given title to 2,900 acres of fertile Iowa farmland to the Omaha Indian Tribe of Nebraska. The land involved was originally on the west of the Missouri River, when the Omaha Reservation was created. Subsequently, the river moved west, putting the disputed land on the Iowa side of the river. The defendants and their predecessors in title had occupied and cultivated the land as an accretion to Iowa riparian land.

GERARD STRESSES INDIAN RIGHTS PROTECTION AT FEDERAL BAR ASSOCIATION MEETING: Speaking at an Indian law conference sponsored by the Federal Bar Association, Interior Assistant Secretary Forrest Gerard stressed the need for tribes to actively protect their resources and rights. Gerard said that "few Indian tribes exercise the full extent of their sovereign powers." He added, "Unless the land, water and other natural resources of Indians are regulated and protected by their Indian owners, they will be subject to use and destruction by others...This Administration views cases concerning the title to and preservation of Indian lands, waters, minerals or environmental quality as part of the struggle for cultural survival..." The conference was held April 20-21 in Phoenix. Topics on the agenda included Indian Water Rights, Eastern Land Claims, Jurisdiction, and Indian Mineral and Economic Development.

INTERIOR TASK FORCE TO SEEK SETTLEMENT OF CATAWBA LAND CLAIM: Interior Secretary Cecil Andrus has established a three-member task force to develop a legislative proposal for settling the claim of the Catawba Indians to some 140,000 acres of land in South Carolina. Members are Interior Solicitor Leo M. Krulitz, Assistant Attorney General James Moorman and OMB Associate Director Eliot Cutler. Krulitz and Cutler were members of President Carter's task force for proposing a settlement of the Maine Indian land claim. Interior recommended last August that the Justice Department begin legal action on behalf of the tribe to recover its claimed 140,000 acres surrounding the town of Rock Hill in the state's north central section. Of the task force Andrus said: "We would much prefer a negotiated settlement to lengthy and disruptive litigation. We hope the task force can accomplish that."