

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	To Kathryn Way, Michael Schmidt, Rosalyn Miller from Carol Rasco re: Indians (1 page)	03/29/04	P5

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Carol Rasco (Meetings, Trips, Events)
OA/Box Number: 7262

FOLDER TITLE:

Tribal Leaders Mtg. 4-29-94 [2]

rw178

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [a(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

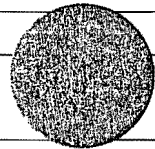
Send copy to (original to CHR): _____

Schedule ? : Accept Pending

Designee to attend: _____

Remarks: _____

*Re: Indian Tribal
Meeting*



These should go in any
folder we have on
the April 29 event—

Indian Briefing —

Idaho > high on radar screen

1st imp. ? : What time are you?

TV

Army ribbons fr. wars —

Pres. give back

DPA

Ceremony outline

2 orders

Hot issues

Friday Tribal Ldrs. Pla

- 1) Briefing Book
 - 2) Idaho
 - 3) Invitations
 - 4) Army ribbons
 - 5) Hot topics
-

EXECUTIVE OFFICE OF THE PRESIDENT

21-Apr-1994 08:16am

TO: Carol H. Rasco
FROM: Donsia Strong
Domestic Policy Council
SUBJECT: indian affairs

1. I spoke to Ada Deer during one of my layovers back to D.C. to provide guidance for our briefing today. I asked her to briefly detail the concepts of tribal sovereignty, the federal trust responsibility and the government to government relationship between the tribes and the feds. She or her staff will provide accounts of specific successes, much like those in the President's speech. She discuss the significance of the blessing the grounds prior to the meeting, the drums during the ceremony and use of tobacco and sage. She will then take questions. I have been asked a few and will ask them if no one else does.

**STATEMENT OF ADA E. DEER
BEFORE THE
SENATE COMMITTEE ON INDIAN AFFAIRS
JULY 15, 1993**

Mr. Chairman, Mr. Vice-Chairman, and other distinguished members of the Senate Committee on Indian Affairs, my name is Ada Elizabeth Deer and I am proud to say I am an enrolled member of the Menominee Indian Tribe of Wisconsin. I would like to thank you for your time and courtesies shown me during our recent interviews and for the opportunity to appear before you today. I am honored that President Clinton and Secretary Babbitt have nominated me as the first woman to be Assistant Secretary for Indian Affairs. In this process I will have gone from designee to nominee to trustee - but always a Menominee. I embrace this administration's theme of change. I have dedicated my life to being an agent of change, as a Menominee, as a Social Worker and as a human being.

I come before you with rich and diverse experiences, including extensive travel in Indian Country. I also have been enriched by many wonderful friends, some of whom I would like to acknowledge, for they have helped shape the person I am today. The late Philleo Nash, former BIA Commissioner, enlarged my vision and inspired me to work for the Bureau. The late Whitney Young, former Executive Director of the National Urban League, whose work and deeds truly exemplified what it meant to be a good social worker. Former HEW Secretary John Gardner lent me a deeper and richer understanding of what it means to be a public servant and what leadership embodies. And most importantly, LaDonna Harris, founder of Americans for Indian Opportunity, taught me that every challenge is an opportunity and that "No Indian problem exists. There is, instead, a basic human problem that involves Indians." Their collective wit, vision, and conviction reinforced in me - that one person can make a difference!

Personally, you should know that forty years ago my tribe the Menominee was terminated; twenty years ago we were restored; and today I come before you as a true survivor of Indian policy.

I was born on the Menominee Indian Reservation in Wisconsin, a land of dense forests, a winding wild river, and streams and lakes that nourish the land, animals, and the people. I am an extension of this environment that has fostered my growth and enriched my vision. An appreciation and reverence for the land is fundamental to being Indian.

Our family of seven lived in a log cabin on the banks of the Wolf River. We had no running water or electricity. Yet, while all of the statistics said we were poor, I never felt poor in spirit. My mother, Constance Wood Deer, was the single greatest influence on my life. She instilled in me rich values which have shaped my lifetime commitment to service.

She was born into a Main Line family in Philadelphia. She was a non-conformist from the beginning. Her father was a minister, and had hand-picked a minister's son for her to marry. But my mother, instead, chose nursing school. Her first nursing job was in Appalachia and her next job was as a BIA nurse on the Rosebud Sioux Reservation in South Dakota. She rejected the Bureau's policies and procedures, and approached nursing with a deep appreciation for the culture and values of the people. At Rosebud, she wore moccasins, learned to ride

broken. By the end of the treaty making, in 1871, tribes held 140 million acres. But the non-Indians marching West wanted more, and so the General Allotment Act of 1887 was passed. Indian land was opened for homesteading on a wholesale basis and by the 1930's the tribal land base had dwindled to 50 million acres.

The next assault on our land and sovereignty was the termination policy of the 1950's. Termination was a misguided and now-discredited experiment that targeted several tribes, including mine. This policy completely abrogated the federal trust relationship. State jurisdiction was imposed on tribal members and land. My tribe literally went from being prosperous to being Wisconsin's newest, smallest and poorest county. Many terminated tribes saw their land sold off. My tribes land was held by a state-chartered tribal corporation. The termination act stripped us of our treaty-guaranteed exemption from taxation and our tribal leaders were forced to begin to sell off ancestral tribal land to pay the taxes.

By the 1960's, my people were in despair. Poverty had sunk to new depths and we faced the loss of our land, tribal identity, and culture. My own personal choice was clear. I had to leave law school, return to the reservation, and create a coalition of tribal leaders to reverse termination. The 1950's and 1960's were the low point for Indian people in our history on this continent.

At Menominee, we collectively discovered the kind of determination that human beings only find in times of impending destruction. Against all odds, we invented a new policy - restoration. Finally, after grueling work by more people than I could ever possibly thank, our coalition pushed the Menominee Restoration Act through Congress. This legislation is a vivid reminder of how great a government can be when it is large enough to admit and rectify its mistakes. It is also indicative of my tribe's spirit, tenacity, and ability to hold other sovereign entities accountable.

We have regained a sacred vision. Our vision is bright and clear throughout all of our homelands, whether at a First Salmon Ceremony in the Pacific Northwest, at a secret ritual deep in a Pueblo kiva, or at a Sun Dance in Sioux country.

My vision for the Bureau of Indian Affairs is to create a progressive federal / tribal partnership. First and foremost, the heart of Indian policy must be strong, effective tribal sovereignty. There is no reason for me or for any of you to be reluctant to support the permanency of tribal sovereignty any more than we would be reluctant to support the permanency of federal or state sovereignty. There are three kinds of sovereignty recognized in the United States Constitution - tribal, state, and federal. It is our moral obligation to ensure that these rights are supported vigorously. The role of the federal government should be to support and to implement tribally inspired solutions to tribally-defined problems. The days of federal paternalism are over.

As Secretary Babbitt stated before this Committee, "tribal sovereignty; the notion of the government-to-government relationship; recognizing that the best way to work in Indian country is to recognize the special responsibility of the Federal Government; and to acknowledge that the participation of the States, while important, must always be drawn through and coordinated with the dominant historic legal and constitutional trust relationship between tribes

respect incorporated into their day-to-day work . I want to help the BIA be a full partner in the effort to fulfill the Indian agenda developed in Indian country. The best way we can do this is for the tribes to decide what needs to be done and for the tribes to do it on their own terms, with our enthusiastic and constructive support.

The constellation of history is aligned in favor of Indian people. President Clinton ran for office on a platform that expressly supported tribal sovereignty. This Committee, under the vision and diligence of Senator Inouye and Senator McCain and with the active support of each of you, has been the most productive legislative body for justice for Indians in the history of this Nation. Secretary Babbitt is the most committed and knowledgeable person on Indian issues ever to hold this critical office; his intellect, character, and commitment to public service are rare and compelling. He means it when he says that fulfilling the Indian trust relationship is his highest obligation. These times are notable, too, by the increasing number of women and the new approach toward policy at all levels of government.

So hope - healing - commitment and change are in the skies all around us and, if I am confirmed, they will be the hallmark of my administration. The time is right for a partnership to fulfill long-held promises and to address long-overdue injustices.

We think most of all about the future of our young people. On this summer's night tens of thousands of girls and boys across Indian country will go to sleep. Some in my Wisconsin homeland will hear the vibrant sounds I heard many years ago in the cabin where I grew up. Others will hear the wind in the Douglas fir trees at Warm Springs, the surging current of the great Missouri at Fort Peck, or the song of the canyon wren calling out from a redrock monument at Navajo. There is no reason why they cannot grow up to live in prosperity, in good health, with excellent educations, in clean environments, and immersed in their rich traditions.

In this new Administration, if we work together, I am confident that we can eliminate the barriers of the past, and work with the tribes to embrace the challenges of the 21st Century.

In closing, know that I bring a strong sense of history, vision, maturity, and compassion to the tasks before me.

Thank you very much.

d. *Blua-cuss-dinals*.—Vater, *Mith.*, iii, p. 1816. *Bluacus-tinneb*.—Cox, op. cit. To ('sweet-potato'). Given by Gal as a Yuchi clan, but probably the clan exists in this tribe.

tabá.—Gatschet, *Uchee MS.*, B. A. E., viii, 7. (tabá = 'clan').

oa. A Maricopa rancheria on the Gila, Ariz., in 1744.—*Sedelmair* (1744) cited by Bancroft, *Ariz. and N. Mex.*, 302, 9.

oednat. A Maricopa rancheria on the Gila, Ariz., in 1744.—*Sedelmair* (1744) cited by Bancroft, *Ariz. and N. Mex.*, 366, 1889.

oag. See *Togue*.

oaili. A district, probably in a region, visited by DeSoto, Mar. 23, 1542. Houses are described by the Gentle of Elvas (Bourne, *Narr. of DeSoto*, 1904) as having been roofed with after the fashion of tile; some with sides of clay (plastered?), and kept clean.

Bledma (1546) in *French Hist. Coll.*, 1850. *Toaili*.—Gentl. of Elvas, op. cit.

neha (*Teandcouiuta*, 'one enters by'). A Huron village situated at different several points on and adjoining der bay, Ontario, and bearing names. It was a part of entry of the Bear tribe, hence its name. Between 1635 it had been twice destroyed by Through fear of French revenge the killing of Brulé at this place, it abandoned in 1633, and a new village, *Teandcouiuta*, was established by a part of the inhabitants, while the remainder went to *Teandcouiuta*.

(J. N. B. H.)
—Champlain (1632), *Excursions*, v, pt. 1, 161.
—Nicolas, Sagard (1626), *Hist. Can.*, ii, 161.
—*Teandcouiuta*.—*Jes. Rel.*, 1635, 28, 162.
—*Ibid.*, 29. *Teandcouiuta*.—*Ibid.*, 30, 1633. *Thouencbin*.—*Memoir of 1677*, in *Doc.*, i, 4, 1875. *Toanebé*.—*Jes. Rel.*, 1635, 28, 162.
—*Toanebé*.—Sagard (1626), *Can.*, i, 161.
—*Toanebé*.—*Ibid.*, 233. *Toanebé*.—*Champlain*, v, pt. 1, 249, note, 1870. *Teandcouiuta*.—*Hist. Can.*, ii, 296, 1866.

mbattok. A former Nishinam village in the valley of Bear r., which is the stream s. of Sacramento, California, in Overland Mo., xii, 22, 1874.

ra. A former Opata pueblo x. of in e. Sonora, Mexico, abandoned 16th century owing to the hostility of the Apache, Suma, and Jocome. *Doc. of 18th cent.*, quoted by *Arch. Inst. Papers*, iv, 63, 1881. *Ibid.*

A Eudeve pueblo and seat of a mission founded in 1647; situated on Rio San Miguel, lat. 30° 20' N., 107° 30', Sonora, Mexico. Pop. 249 in 1730.

toape.—Zapata (1678) cited by Bancroft, *Ariz. and N. Mex.*, 1854. *Terapa*.—Orusco y *Ariz.*, 343, 1864. *Toape*.—Rivera (1707) cited by Bancroft, op. cit., 513. *Tuape*.—*Modest*

An Eskimo village of the C. Espenberg, Alaska. Pop.

Toapuk.—Petroff in 10th Census, Alaska, 4, 1884. *Toapuk*.—Zagoskin in *Nouv. Ann. Voy.*, 5th s., iii, map, 1850. *Tarpkarzomete*.—Jackson, *Relation in Alaska*, map, 145, 1824. *Toapuk*.—Nelson in *Uch Rep.*, B. A. E., map, 1679.

Tobacco. On the arrival of the first Europeans in North America the natives were observed to make offerings of the smoke of some plant, generally believed to be tobacco, to their many deities and spirits; by it disease was treated, and the smoke ascending from the pipe was regarded as an evidence of such an act as the making of an agreement or the binding of a treaty. Tobacco was likewise offered in propitiation of angry waters, to allay destructive winds, and to protect the traveler. Oviedo (*Hist. de las Indias*, i, 130, 1551) says that the Indians of Hayti in the 16th century "had the custom of taking fumigations for the purpose of getting intoxicated (which they call *tabaco*) with the smoke of a certain herb." Ernst (*Am. Anthr.*, ii, 133, 1889) states that Oviedo is certainly right in giving the name (strictly *tobaco*, a word of Guarani origin) to a Y-shaped inhaler still used by several South American tribes for the absorption of certain powders (*niopo, parica*).

Columbus, on Oct. 15, 1492, met a man in a canoe going from Santa Maria to Fernandina, the second and third of the Bahama ids. that he touched, who was carrying dry leaves which he thought must be appreciated among the Indians because they had brought him some at San Salvador. Las Casas (*Hist. Gen. de las Indias*, cap. 46, 1875-76) says that messengers whom Columbus sent ashore in Cuba found "men with half-burned wood in their hands and certain herbs to take their smokes, which are some dry herbs put in a certain leaf, also dry, like those the boys make on the day of the Pasover of the Holy Ghost; and having lighted one part of it, by the other they suck, absorb, or receive that smoke in- stead with the breath, by which they become benumbed and almost drunk, and so it is said they do not feel fatigue. These, markets as we will call them, they call *tobacos*. I knew Spaniards on this island of Española who were accustomed to take it, and being reprimanded for it, by telling them it was a vice, they replied they were unable to cease using it. I do not know what relish or benefit they found in it." Navarrete says: "Such is the origin of our cigars" (Thatcher, *Columbus*, i, 541, 1903). These authors are among the first to refer to tobacco, the use of which spread rapidly over the world. Benzoni (*Hist. New World*, Hakluyt. Soc. Pub., 1857) in 1541-56 tells how slaves brought to America from Ethiopia by the Spaniards preserved the leaves of a plant that grows in these new countries, which was picked in its season, tied up in bundles, and suspended by them near

their fireplaces until dry; to use them they take a leaf of their grain (maize), and one of the other plant being put in it, they roll them tight together. So much, he says, "do they fill themselves with this cruel smoke that they lose their reason" and "fall down as if they were dead, and remain the greater part of the day or night stupefied," though others "are content with imbibing only enough of this smoke to make them giddy, and no more." This author says that in Mexico the name of the herb itself was *tobacco*.

There is some question as to the uses to which tobacco was put in the West Indies, in South America, and in parts of southern Central America. In all of these sections there were names for the plant itself, and in most of these regions cigars or cigarettes were in common use, but the tobacco pipe appears to have been unknown until recent times. In 1540 Hernando Alarcon (Ternaux-Compans, *Voy.*, ix, 322, 1838) described the natives on the lower Rio Colorado as carrying "small reed tubes for making perfumes, as do the Indian *tobagos* of New Spain."

Nicolas Monardes (*De Simplicibus Medicamentis*, 1574) called the plant "tobacco," as did other authors of the period. It was credited with wonderful properties, curing not only disease but wounds. It was extolled as an intoxicant and as a preventive of hunger and thirst, and was said to invigorate the weary and to ward off disease. The Mexicans called the plant *yell*, the Peruvians *sayri*. Hariot (*Narr. of Va.*, repr. 1893) said in 1585: "There is an herbe which is sowed a part by it selfe, & is called by the inhabitants *l'ppowoc*: In the West Indies it hath diuers names, according to the severall places & countries where it groweth and is used. The Spaniards generally call it Tobacco. The leaves thereof being dried and brought into powder: they use to take the fume or smoke thereof by sucking it through pipes made of claie into their stomacke and heade; from whence in purgeth superfluous fleame & other grosse humors, openeth all the pores & passages of the body: by which means the use thereof not only preserveth the body from obstructions; but also if any be, so that they have not bene of too long continuance, in short time breaketh them: wherby their bodies are notably preserved in health, know not many greuous diseases wherewithall wee in England are oftentimes afflicted."

The word tobacco is of American origin, and has been adopted, with slight variation, into most foreign languages to designate the plant now smoked throughout the world, although there is evidence that the early Spanish settlers

primary purpose was probably that of a hatchet, but in one shape or another they served as adzes, chisels, scrapers, skinning knives, meat cutters, and weapons. Many have the surface roughened by pecking at the top, which was inserted in a cavity cut in a wooden club and secured with gum or glue; in others, this roughening was around the middle, to give a firmer grip to a with handle; still others, wrapped perhaps in a piece of buckskin or some such substance to prevent slipping, were held in the hand. Some specimens were set in the end of a short piece of bone or antler, which, in turn, acting as a buffer, was attached to a handle of wood in the fashion of a hatchet, an adz, or a plane. The smallest specimens, especially those made of hematite, which usually have the scraper-form edge, were similarly set in the end of a longer piece of bone or antler, and used as knives or scrapers. Celts, in their various patterns, were among the most important implements known to primitive man.

Celts made of flint, jasper, and other brittle stone are shaped mainly by flaking. In most, the edge is more or less sharpened by grinding, and sometimes the entire implement is partially smoothed in the same way. They are common along the Atlantic coast, where argillite and rhyolite are easily procured; and the same is true of the Kanawha valley, where the black flint outcrops so abundantly. Along the Mississippi r., in Arkansas and Mississippi, are found numerous specimens which have been chipped from yellow jasper and then ground until the angles formed by the facets are nearly obliterated and the lower part of the blade attains a high degree of polish. These are mostly small, and approach more closely the European celts with rectangular section than any others found in America. They are sometimes classed with chisels. See *Adzes, Axes, Chisels, Copper, Hatchets, Stone-work, Tomahawks*.

Celts are described or briefly referred to and illustrated in numerous works on archeologic subjects. Among these are Abbott, *Prim. Indus.*, 1881; Fowke (1) *Archaeol. Hist. Ohio*, 1902, (2) in 13th Rep. B. A. E., 1896; Holmes in 15th Rep. B. A. E., 1897; Jones, *Antiq. So. Inds.*, 1873; Moore, various memoirs in *Jour. Acad. Nat. Sci. Phila.*, 1894-1905; Moorehead, *Prehist. Imps.*, 1900; Rau in *Smithson. Cont.*, xxii, 1876; Thruston, *Antiq. Tenn.*, 1897.

(G. F. W. H. H.)

Cements.—The Indians used cements of animal, vegetal, and mineral origin, and sometimes combined two of these or added mineral substances for coloring. Animal cement was obtained by the Yokuts of California by boiling the joints of various animals and combining the product with

pitch (Powers, *Tribes of Cal.*, 373, 1877). The Hupa boiled the gland of the lower jaw and nose of the sturgeon and dried the products in balls (Ray in *Smithson. Rep.*, 229, 1886). Capt. John Smith states that with sinew of deer and the tops of deer horns boiled to a jelly the Virginia Indians made glue that would not dissolve in cold water. The Plains tribes boiled the skin of the head of animals until it was softened into glue, which they dried in masses on sticks. Such glue-sticks formed a part of the equipment of the bow-and-arrow maker, and the horn arrow-straighteners of the S. W. tribes are often filled with resin. Sometimes one end of the hearth of the fire-drill bears a mass of resin, as a convenient way to carry this substance, which may readily be melted at the fire and applied to various uses. Wax and albumen from eggs had a limited use, and the Eskimo used blood mixed with soot. The chief use of animal cement was in the manufacture of bows and arrows, and, among the Plains tribes, in joining the stems of certain kinds of pipes. The only mineral cement known to the tribes was bitumen, which was used by the Indians of Arizona and California. Vegetal cements were numerous, and chief among these was the exudation from coniferous trees, employed by northern tribes for pitching the seams of bark canoes, baskets, etc.; by S. W. tribes for rendering basketry, water vessels, and the like watertight; by the Hopi for varnishing pottery, and by many tribes for mending, joining, inlaying, etc. The tribes of the S. W. made a strong cement of the gum resin of the mesquite and the gum of the greasewood, which was used to set the heads of arrows and for many other purposes. The Pima made a strong cement from a gum of parasitic origin on the *Coccoloba tridentata*. The Indians of Mendocino co., Cal., made a glue from the bulb of the soap plant (*Chlorogalum pomoidianum*) for fastening feathers on arrows.

(W. H.)

Cenoywopreskel. A former village of either the Diegneños or Luisenos in the neighborhood of San Luis Rey mission, S. Cal.—Taylor in *Cal. Farmer*, May 11, 1860.

Cepowig. A village in 1608, perhaps belonging to the Conestoga, located by Guss in or near York co., Pa.—Smith (1629), Va., I, map, 1819.

Ceremonials. See *Problematical objects*.

Ceremony. A ceremony is the performance in a prescribed order of a series of formal acts often constituting a drama which has an ultimate object. Ceremonies spring from many diverse tendencies, which are the expression of some phase of religious emotion. Many features of the culture of the North American

Indians are regarded as the rites which liberty, marriage, the arbitrarily the term is here understood to be of at least one ceremonies generally the other of the nation or ripening most important ceremonies of connected with the men or are the Ceremonies may which the whole those which are a society, general group of men chiefs or medicinal. Practically tended duration common. An ex as they are success the fact that the prescribed order. sodes of the ritu:

The ritual, or money which is inates among eor among others, a subordinated to.

In enumerati monies it may l may be divided the secret rites b a rule, occupying time of the cere public perform the actual play rites are almos in a specially c or chamber, im priests or initiat is generally ind ner that the p it. Early in po rites is the proe objects or raw the preparation be either seere used for parap the public perfis ion of priests and the uninitia them. The re: ases include: which may be offerings in the gels; purification the rite of smok of some sweets- dist to the de his body, or som tional nature, tional sweat-lo tional feast. pr

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Indians are regarded as ceremonies, such
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 erty, marriage, death, war, etc., but in
 the arbitrarily restricted sense in which
 the term is here used a ceremony is un-
 derstood to be a religious performance
 of at least one day's duration. These
 ceremonies generally refer to one or
 the other of the solstices, to the germi-
 nation or ripening of a crop, or to the
 most important food supply. There are
 ceremonies of less importance that are
 connected with the practices of medicine-
 men or are the property of cult societies.
 Ceremonies may be divided into those in
 which the whole tribe participates and
 those which are the exclusive property of
 a society, generally a secret one, or of a
 group of men of special rank, such as
 chiefs or medicine-men, or of an individ-
 ual. Practically all ceremonies of ex-
 tended duration contain many rites in
 common. An examination of these rites,
 as they are successively performed, reveals
 the fact that they follow one another in
 prescribed order, as do the events or epi-
 sodes of the ritual.

The ritual, or that part of the cere-
 mony which is spoken or sung, predom-
 inates among some tribes, as the Pawnee;
 among others, as the Hopi, it is greatly
 subordinated to the drama.

In enumerating the rites of the cere-
 monies it may be noted, first, that they
 may be divided into secret and public,
 the secret rites being proprietary, and, as
 a rule, occupying the major part of the
 time of the ceremony. The rites of the
 public performance may be considered as
 the actual play or drama. The secret
 rites are almost invariably performed
 in a specially constructed lodge, room,
 or chamber, into which none but the
 priests or initiated may enter, and which
 is generally indicated in such a man-
 ner that the public may not mistake
 it. Early in point of time in the secret
 rites is the procession of the priests for
 objects or raw material to be used in
 the preparation of an altar, which may
 be either secret or public, or to be
 used for paraphernalia or otherwise in
 the public performance. This process-
 ion of priests is generally symbolic,
 and the uninitiated may not accompany
 them. The remaining secret perform-
 ances include such rites as smoking,
 which may be either fraternal or direct
 offering in the nature of a sacrifice to the
 gods; purification, similar in origin to
 the rite of smoking; in which the smoke
 of some sweet-smelling herb is offered
 direct to the deity, or the priest bathes
 his body, or some object of a special cere-
 monial nature, in the smoke of the in-
 cense; sweat-lodge purification; a cere-
 monial feast, preceded or followed by a

sacrifice of food; the offering of prayers
 which may be in the form of a direct
 appeal to the gods or through the instru-
 mentality of material prayer offerings,
 upon which, or into which, the prayer
 has been breathed; and the manufacture
 or redecoration of ceremonial masks and
 garments to be worn during the public
 performance, either by the priests exclu-
 sively or by all those taking part in the
 ceremony.

Occupying in point of time a period
 between the exclusively secret perform-
 ances and the public presentation of the
 drama may be certain semi-public per-
 formances, which take place in the open
 but which are undertaken by priests exclu-
 sively. Such is the preparation of
 the site of the public performance, or the
 erection of a bower or lodge within which
 it is to take place. Either within this
 inclosure, or lodge, or within the secret
 lodge of preparation, an altar may be
 erected. This is especially the case with
 the ceremonies of the Pueblos and of the
 Plains tribes (see *Altars*), among which
 it is always symbolic, and its explana-
 tion must generally be sought in the
 ritual. It often symbolizes, as a whole,
 the earth or the heavens, or some god or
 the home of a god or the gods. The
 most prominent feature of the altar is a
 palladium, which may consist of a buffalo
 skull, an ear of corn, a flint knife, or some
 other object of supposed efficacious na-
 ture, within which is supposed to reside
 or which is typical or symbolic of the
 spirit or deity. On the altar, also, is gen-
 erally found a recognition in one form
 or another of the gods of the four or six
 world-quarters, of the rainbow, of the
 lightning, of vegetation, etc. Falling
 within this semi-public period is often a
 contest, generally a foot race, the winner
 being favored by the gods or receiving
 some tangible object which possesses
 magic potency.

The public performance is usually
 ushered in by a stately procession of
 priests, the singing of traditional songs,
 rites of smoking, sacrifice of food, and
 offerings of prayer. The most prominent
 feature is the dance, which, as a rule, is of
 a dignified and stately nature, the dancers
 being appropriately costumed and other-
 wise adorned. The costume worn in pub-
 lic is often supplemented with paint upon
 the body or by masks over the face. The
 dancer, thus arrayed, generally represents
 a minor deity, or he places himself, by
 virtue of the character of his costume, in
 an attitude of defiance to the deity and
 thus opposes his magic power to that of
 the supernatural. Following the dance,
 which may vary in duration from a few
 minutes to several days, is generally a
 ceremonial removal of the costume,

whereupon the dancers undergo a purification rite, often in the form of a powerful emetic. This may be followed by an act of self-inflicted torture, which, however, often forms an intrinsic part of the public performance. During the entire ceremony, as a rule, certain tabus are enforced, the most common being a prohibition of the presence of women during menstruation.

The time of the performance of ceremonies varies. Some are held annually, or biennially, at stated periods; such are the solstitial or seasonal ceremonies, for which no special provision is necessarily made. Some are held during certain seasons within the year, but are dependent on the will of an individual who may have pledged or taken a vow to perform the ceremony. Others are held at any season, whenever occasion may demand; such are the ceremonies of the medicine-men.

Inasmuch as ceremonies form intrinsic features and may be regarded as only phases of culture, their special character depends on the state of culture of the people by which they are performed; hence there are at least as many kinds of ceremonies as there are phases of culture in North America. A few characteristic ceremonies may be considered for some of the better-defined areas:

Among the Plains tribes the most spectacular ceremony is the Sun dance, q. v. This varied from an annual performance, as among the Ponca and some other Siouan tribes, to a presentation only as the direct result of a vow, as among the Cheyenne, Arapaho, and Siksika. In the Sun dance of all tribes are found certain common features, such as the secret tipi or tipis of preparation; the manufacture of objects to be used on the public altar; the procession of priests in search of an object generally symbolic of spying out the world; the ceremonial erection of the great lodge, of which the center pole is the most prominent feature; the erection of the altar; and the characteristic dance lasting from 1 to 4 days. During the public performance the dancers are symbolically painted and otherwise so adorned that their evolutions are supposed to lead to a distinct result—the production of rain. While the Sun dance varies from tribe to tribe, not only in its symbolism but also in many important details, it seems primarily to have been a rain ceremony, and its ritual generally recounts the origin or the rebirth of mankind. The second group of ceremonies are those performed by cult societies, generally four or more in number. Each society has its special esoteric songs, its own paraphernalia, and often distinct gradations in rank. The membership is generally exclusively

male, although a limited number of maidens are admitted into the societies of the Cheyenne, while the Arapaho have a society which belongs exclusively to the women, of which there are several gradations of rank. The third group comprises the performances of cult societies in which the warrior element does not predominate; these are often spoken of as dances, although they are, strictly speaking, ceremonies. Among the best known of these are the Buffalo, the Bear, and the Elk. The basis is usually the acquisition and perpetuation of magic power which, primarily, was derived from the animal after which the society takes its name and from which it is supposed to have originated. A fourth group comprises those of the medicine-men, and are either ceremonies in which one or more medicine-men perform for the benefit of the sick, or, more often, in which all the medicine-men of the tribe join in a performance to make public demonstration of magic power through sleight-of-hand. The last group of Plains ceremonies includes those connected with the planting and reaping of the maize, or the first killing of game in the hunting season, or the first coming of the fish—all, it may be noted, connected with the gift of food for the sustenance of life.

The Pueblo tribes of the S. W. are especially noted for their extended ceremonies, which among the Hopi number no fewer than 13, each of 9 days' duration. The secret rites are almost always held in an underground chamber called a kiva (q. v.), or estufa, in which, in addition to the performances, an elaborate altar is erected. During the initiation of candidates into the brotherhood of these societies, dry-paintings (q. v.) are laid on the floor of the kiva in front of the altar. The symbolism both of these and of the altar itself is generally very elaborate, but with a strong predominance of symbols in which reference is made to rain clouds. During certain of these ceremonies masked dancers appear, the symbolism of the mask being distinctive. The most notable of the Hopi are: The Soyal, a winter solstice ceremony; the Powamu, a February bean-planting ceremony; a New Fire ceremony, in early spring; the Niman, or the departure of the masked personages, a ceremony of early summer; the Snake-Antelope, of the summer, alternating each year with that of the Flute ceremonies; those of the women in the autumn comprising the Lagon, the Oaqil, and the Marau. In addition to these the Hopi have a large number of minor ones, generally of one day's duration. Such are the Katsina or masked dances, and various others of a social nature

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Among the non-Pueblo tribes of the S. W., especially among the Navaho and Apache, the extended ceremonies are almost entirely the property of the medicine-men, and must be regarded as medicine dances. Many of these are of an elaborate and complicated nature, but all are designed for the restoration of the sick. In these ceremonies masks are often worn and complicated and elaborate dry-pictures are made, both these features probably having been borrowed from the Pueblo tribes.

In California ceremonies of extended duration are not found; they partake rather of the nature of tribal mourning, sometimes spoken of as dances of the dead, or initiation rites into cult societies. These, generally lasting but a single day, are marked by the lack of symbolism, by the almost total want of fetiches such as abound on the altars of the Pueblos, and by the marked absence of rituals such as are found among certain Plains tribes. The costume of the dancers is generally restricted to profuse feather ornaments. In nearly all ceremonies of this region there is afforded an opportunity for the display of individual wealth.

Of the ceremonies of the tribes of the Great Basin, but little is known. The eastern Shoshonean tribes, such as the Shoshoni and the Ute, perform the Sun dance, presumably borrowed from the tribes of the Plains.

On the s. Pacific coast, extending from Columbia r. to s. Alaska, ceremonies of from 1 to 4 days' duration abound. These are performances of cult societies, generally secret, or of chiefs or lesser individuals who make it an opportunity to display personal wealth. In the ceremonies of the cult societies masks are worn. Those of the Kwakiutl of this region are held in winter, at which time the cult societies replace the gentile organization which prevails in summer. Membership into the society is acquired by marriage or through war. The object of the winter ceremony is "to bring back the youth who is supposed to stay with the supernatural being who is the protector of his society, and then, when he has returned in a state of ecstasy, to exorcise the spirit which possesses him and to restore him from his holy madness. These objects are attained by songs and dances." During the performance of these ceremonies special paraphernalia are worn in which the mask, substantially made of wood, predominates, the remainder consisting largely of rings of cedar bark (see *Bark*) which constitute the badges of the ceremony. The tribes to the n. have

societies and winter ceremonies similar to those of the Kwakiutl, from whom they are probably mainly derived.

Among the Eskimo extended ceremonies, such as prevail over a large part of North America, are not found. They are rather to be characterized as dances or festivals. These are generally held in winter and are of short duration. The most important of these are the Feasts to the Dead; others among the Alaskan Eskimo are the Asking festival, the Bladder feast, and the performances of the medicine-men. In some of the festivals wooden masks, representing supernatural or superhuman beings, are worn.

As stated at the outset the root of ceremonies may be discovered only by taking into consideration universal human tendencies which develop along certain lines according to historic or geographic environment. It may therefore be noted that the need for them among the Indians of North America varied in accordance with the character of their life. Thus it is found that in those tribes or in those areas extended forms abound where there exists a sessile population or a strong form of tribal government. Hence the greatest number of extended and complicated ceremonies are formed among the Pueblo people of the S. W. and in the village communities of the s. Pacific coast. Second only in importance to the ceremonies of these two areas are those which are found among the tribes of the Plains among which ceremonies abound, in which the strongest system of government is found. As a ceremony of any extended duration makes great demands upon the tribe, and presupposes law and order, highly developed and extended ones are not possible among the Eskimo or the tribes of California. See *Dance, Religion*. (G. A. N.)

Cerocabui. A settlement of the Temoris branch of the Guazapar in lat. 27° 25', long. 108° 25', w. Chihuahua, Mexico.—Orozeo y Berra, *Geog.*, 324, map, 1864.

Cerrito (Span.: 'little mountain'). A settlement, probably of the Pima, on the Pima and Maricopa res., Gila r., s. Ariz.; pop. 258 in 1860.—Taylor in *Cal. Farmer*, June 19, 1863.

Cerritos. Apparently a former Yuma rancharia on the s. bank of Gila r., about 104 m. above its mouth; visited by Anza and Font in 1775. *Los Cerritos*.—Anza and Font quoted by Bancroft, *Ariz. and N. Mex.*, 392, 1883.

Cerro Cabezon (Span.: 'big-head hill,' so named from its shape; also El Cabezon, or Cavezon). A prominent butte about 40 m. n. e. of the summit of Mt Taylor, or Mt San Mateo, N. Mex., which figures in Navaho tradition (Mat-

Event file

MEMORANDUM

TO: Phil Lader
Marcia Hale
Carol Rasco
Ricki Seidman
Alan Stone
Donsia Strong

FROM: Loretta T. Avent *lta*

DATE: April 18, 1994

RE: Tribal Leaders Meeting Material

Please find attached the letter I mentioned at our meeting that would be forthcoming from gaishkibos, President of the National Congress of American Indians (NCAI), and the supporting "Briefing Book". Since we only have one copy of the briefing book, it can be signed out from Elizabeth Spencer in Room 106.

We have one last planning meeting which should help put the final agenda together, and provide us with the eight presenters and their remarks, which I will ask to have by 5:00 p.m. on Monday, April 25. I asked JoAnn Chase, Executive Director to come over today and the most time she can squeeze in is 45 minutes. She leaves for New Mexico for her Executive Committee meeting. The one person she must meet with is Donsia regarding the policy preparations. If anyone else needs to talk with her, let me know. Ricki reminded me they met when we got the time extended.

We have had approximately four planning meetings with tribal leaders and the leadership of the 19 organizations representing Indian issues that are affiliated with NCAI. NCAI represents 165 Indian tribes and Alaska native villages. The Navajo tribe is not a member of NCAI, but I have made sure to have them participate in these meetings along with many other tribal leaders whose tribes are also not members of NCAI.

I have had no problems so far in working with Indian country through NCAI in organizing the April 29th event. They have been cooperative and very timely considering how many tribes MUST have input to reach consensus. They are flexible and will accommodate our schedule as requested. They are aware of our security, time, and logistic concerns. They will work closely with me to help insure a smooth and productive meeting with the President. The team working with me on the events will be Elizabeth Spencer, Sharon Kennedy, Elise Deal and Edie Lawder, because most of the tribes have met them during the past year and three months.

I will keep you posted on everything as I get new details or if changes arise. Thanks for all your help and support.

National Congress of American Indians

Est. 1944

EXECUTIVE COMMITTEE

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gaiashkibos
Ojibwe

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Hank Murphy
Kumeyaay (Mission)

Southeastern Area
A. Bruce Jones
Lumbee

EXECUTIVE DIRECTOR
JoAnn K. Chase, J.D.
Mandan-Hidatsa

April 14, 1994

The Honorable William J. Clinton
President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Clinton:

Thank you for inviting the leadership of the Indian tribes and Alaska Native Villages to meet with you on April 29, 1994 at the White House. On behalf of the 165 tribes who are members of the National Congress of American Indians (NCAI), I want to express our hope that by working with your Administration we can create an effective partnership in pursuit of our common goals.

This letter is intended to summarize our priorities and expectations regarding our meeting with you and your staff as these matters have been discussed by Indian leaders sitting in tribal councils all across Indian Country.

Our highest priority as Tribal leaders has always been the protection and preservation of our tribal way of life. This sacred duty has been passed on from generation to generation for thousands of years and will continue into the future for as long as human societies exist on this earth. The most fundamental right which we consider essential to preserving our way of life has come to be known under U.S. law as the right of Tribal Sovereignty. This is the basis of Indian treaties which reserve part of our aboriginal lands to serve, in the language of the treaties, as a "permanent tribal homeland." Tribal sovereignty means that tribes are recognized, under the supreme law of the land, as the primary governments on our tribal homelands.

It is our fervent hope that our historic meeting with you will serve as an occasion for proclamation of a "Clinton Indian Policy" that not only reaffirms the historic commitment of the United States to the tribes but also articulates a future vision of permanent, economically self-sustaining tribal homelands.

We have concluded that the key to building an effective relationship between your Administration and the Tribes is to focus on the day-to-day contact between federal agencies and tribal governments. Far too many federal officials are totally ignorant of the most basic protocols which should govern such a relationship; namely, the courtesy of simple notice and consultation when their agencies are engaged in activities that impact the trust property and/or governmental rights of the tribes. It may surprise you to learn that this is not now the practice. Indeed, some federal agencies go to some lengths to avoid sharing information with tribes and otherwise treating them as governments.

Consequently, we propose that you consider issuing an Executive Order that would be similar to Secretary Babbitt's Departmental Order on the Trust Responsibility of November 8, 1993. Such an Executive Order would simply direct all federal officials to be aware of the federal trust responsibility and that all federal agencies are responsible for respecting the governmental rights of Indian tribes. In fulfillment of these responsibilities, federal officials should provide advance notice to any Indian tribe whose trust and/or governmental interests will be impacted or affected by an action of their respective agencies. At the request of the tribe, federal agency heads should be authorized and directed to engage in intergovernmental discussions to address any concerns the tribe may have about their proposed action. I have taken the liberty of attaching a rough draft of such an order for you to review as well as a copy of Secretary Babbitt's order on Trust Responsibility.

Mr. President, an Executive Order providing such simple and direct guidance to all federal officials to provide Indian tribes due process, notice of federal actions impacting trust properties, and basic respect for their rights of self-government would be truly historic. We further recommend that such an Executive Order be issued as part of a Presidential Policy Statement that reaffirms historical commitments to Indian treaty rights and articulate a future vision of permanent, self-sustaining tribal homelands.

o Economic Development Although relatively few tribes have benefitted from the opportunity to operate Indian gaming enterprises, the great majority of the 544 Indian and Alaska Native tribal communities suffer from severe problems of unemployment and undeveloped local economies. I am sure that you are aware that the average unemployment rate for all of Indian Country is approximately 45% despite

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the overall improvements in the U.S. economy under your Administration. The special efforts your staff have been making with the empowerment zone and enterprise community legislation will not impact Indian Country since Congress specifically excluded Indian reservations from this program. Instead, Congress authorized a special wage credit and accelerated depreciation for private investors on Indian reservations.

Unfortunately, these two investment incentives by themselves will not have a measurable impact on the terrible economic conditions which exist on most reservations. We are aware that a working group on Indian economic development comprised of federal officials has met several times to try and develop an Administration initiative. However, no results have been forthcoming that we are aware of as of this date. The NCAI participated in a National Indian Economic Summit whose comprehensive recommendations were endorsed by a great many tribes in January, 1993. The report on this summit was officially transmitted to your office in March, 1993 and a copy is also attached to my letter for your information. In December, 1993, the NCAI membership adopted an economic development platform which called for a special task force to be created within the Community Enterprise Board which you established by executive order in September, 1993. Again, these proposals have been transmitted to your office and we look forward to your response.

o Natural Resource Management in Indian Country. With respect to natural resource management concerns, Mr. President, no one has greater respect and reverence for the land than the original inhabitants of this continent. Although there are differences among the tribes, we have a common set of beliefs and traditions regarding our responsibilities as caretakers for the natural world. In our philosophy, we are part of and inseparable from the natural world, linked together by the gifts of life and spirit. The remaining base of Indian lands is doubly precious to us and must be managed for preservation and production purposes. Consequently, in the context of your Administration's natural resource management program we ask that our tribal governments have a "seat at the table" as federal resource management decisions are made. Further we seek your support for the rights of Indian tribes to exercise primary jurisdiction over natural resource management within the boundaries of our reservations.

o Health and Human Services within Indian Communities. As in other arenas of government policy, in providing health and human services to our people the role of tribal government is of paramount concern. Your proposals in the Health Security Act are much appreciated in that they recognize the special treaty rights of Indians to adequate health care and are responsive to the concerns of tribal government

expressed to the First Lady when she attended the Indian Health Summit last March. As Congress debates Health Reform we intend to assert our interest and insure that the final version of the legislation authorizes a continuation of the Indian Health Service under the direction of tribal governing bodies. Although it will take a sustained effort over several years, we must upgrade the capabilities of the Indian Health Service in order for it to be able to provide a benefit package comparable to that offered to the general population. A national "Indian Board of Directors" representing the tribes should be appointed to supervise this effort and provide ongoing direction.

Welfare reform will be next on the national agenda and will require special attention to the severe unemployment problems in Indian communities. Clearly, when the local economies on most reservations are so underdeveloped that there are virtually no job opportunities, it makes no sense to limit public assistance eligibility to two years. As we discussed above, a comprehensive, multifaceted economic development program must be initiated if we are to bring the Indian economy up to a par with our non-Indian neighbors.

In the area of Housing the efforts of Secretary Cisneros have been very supportive of Indian needs. We have been particularly pleased with his attention to the need for assistance in developing the private housing sector on Indian lands. Due to the fact that most Indian communities are located on federal trust lands, a conventional mortgage lien cannot be secured in financing private housing. This constraint, in conjunction with other high risk factors, has greatly limited the construction of private housing stock which, in turn, has kept the economy from growing. Secretary Cisneros has not only supported additional funds for mortgage loan guarantees for Indian housing, but also worked with the Indian housing authorities in drafting legislation to charter a "Native American Financing Authority" which will buy and sell Indian mortgage loans. We look forward to seeing this bill sent to the Congress in the near future as an official Administration proposal.

o Building Strong Tribal Governments for the 21st Century. As Indian leaders look to the future we see a great need to stabilize the operation and financing of our tribal governments. In less than a generation we have seen tribal governments evolve from being essentially advisory committees for the reservation BIA superintendent to effective organizations which provide law enforcement protection, court services, health and welfare and all manner of civil regulatory functions. Indian tribal sovereignty, which has been consistently recognized under federal law during the past two hundred years, now faces the challenge of stabilizing after a period of tremendous growth. Under the 1975 Indian Self-determination Act, P.L. 93-638, tribal governments have a right to assume from the BIA and IHS the administration of local government services.

The Honorable William J. Clinton

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Most tribes have done so and many have taken the further step of compacting under the 1988 Tribal Self-Governance Act for total responsibility for governmental services on the reservation.

Mr. President, we now face the task of providing uniformity and predictability for tribal government budgets. With regard to that portion which consists of services formerly provided by the BIA and IHS, including management of natural resources on each reservation, we suggest that the current period of deficit reduction and government-wide "streamlining" presents an opportunity. Many tribal leaders have advocated that each tribe's budget should be a separate line item in the Appropriation Act for each year. The tribal delegates to the BIA Reorganization Task Force, have recently developed a proposal which calls for a "streamlining commission for BIA and IHS" and have requested time to discuss this with OMB Director Leon Panetta and the Appropriation Committees. Whichever proposal prevails, we ask your support to exempt from deficit reduction that portion of the BIA and IHS budget which goes to tribal services at the reservation level.

Tribal governments, like all governments, depend on tax revenue for operating budgets. However, unlike all other governments within our U.S. Federal system, we do not have control over our tax base. Federal Indian trust lands and related income have not been taxed due to long standing federal protections and high levels of poverty on the reservations which greatly restrict non-property based tax options. Adding to the complexity of our task is the fact that states and state subdivisions have been allowed to impose taxes on Indian reservations under recent Supreme Court rulings. The Court has concluded that states may tax the income of non-Indians and economic transactions on Indian reservations as long as the tax is imposed on the non-Indian. It is our view that federal supremacy law and policies provide support for a federal initiative to provide strong incentives for apportionment by all taxing jurisdictions in Indian Country. If states and tribes were only collecting taxes in relation to their actual government services and expenditures, the tribes could then identify and project a stable tax base. We hope there will be opportunity to discuss these matters with you.

Mr. President, I sincerely hope this discussion has been helpful to you in gaining an overview of the concerns and priorities of tribal leaders as you plan for our April 29th meeting. There are, of course many more issues on the minds of tribal leaders. The National Congress of American Indians will be compiling a comprehensive document of tribal statements to be conveyed to your staff in conjunction with the meeting. However, many of these issues have been addressed in other contexts. For example, the "Native American Free Exercise of Religion Act" addresses issues which are absolutely essential to all tribes. As you know, your staff have already testified

The Honorable William J. Clinton

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example, the "Native American Free Exercise of Religion Act" addresses issues which are absolutely essential to all tribes. As you know, your staff have already testified favorably before Senator Inouye's Indian Affairs Committee on this bill and we look forward to working with them as Congress completes action on the bill this year. Indian gaming is also a major issue and we appreciate the support Secretary Babbitt has expressed on behalf of your Administration for the bi-partisan Congressional negotiations on Indian gaming.

In closing, I want to assure you that your agreement to meet with all 545 tribal leaders on the White House grounds, an event never before proposed in the 250 year history of U.S. - Indian tribal relations, has already conveyed a powerful message of concern to all Indian people. We look forward to working with you and your staff in the intervening weeks to complete preparations for this meeting and in developing an agenda of substance that would be appropriate for this truly great event.

Sincerely,

A handwritten signature in cursive script, enclosed in a hand-drawn oval. The signature appears to read "gaiashkibos".

gaiashkibos, President
National Congress of American Indians

ATTACHMENTS

Draft Executive Order/Department of Interior Order Number 3175
Tribal Coordinating Committee Priority Issues
Tribal Leaders Summit Discussion Papers
Joint Tribal/BIA/DOI Advisory Task Force Report
Building Reservation Economies and Sustainable Homelands
Returning to A Natural State of Good Health

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

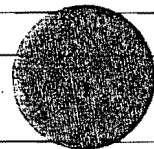
Send copy to (original to CHR): _____

Schedule ? : Accept Pending

Designee to attend: _____

Remarks: _____

*Re: Indian Tribal
Meeting*



The White House



FACSIMILE TRANSMISSION COVER SHEET

TO: Carol Rasco

FAX NUMBER: 62878

TELEPHONE NUMBER: _____

FROM: Loretta Avent

TELEPHONE NUMBER: x62896

PAGES (INCLUDING COVER): 2

COMMENTS: _____

If you have any questions
please contact Sharon Kennedy at
x66581. Thank you.

MEMORANDUM

TO: George Schafer
U. S. Mint

FROM: Loretta T. Avent *LTA*
Special Assistant to the President
for Intergovernmental Affairs

DATE: April 18, 1994

RE: Indian Peace Medals

This memorandum is to confirm that the U.S. Mint will produce 650 1 and 5/16 inch, Thomas Jefferson Presidential Medals with Indian Peace Reverse for President Clinton's Historic meeting with Tribal Leaders on April 29, 1994. The cost of \$2.50 (c.90/medal and \$1.50/presentation case) totaling \$1,625, will include the Standard Mint Presentation Cases (for all 650) and Information Cards (for all 650/free of charge from the U.S. Mint).

It is also our understanding that the Mint will provide for delivery of the medals directly to the White House, pay for delivery costs and guarantee arrival no later than April 27, 1994.

The bill of \$1,625 should be sent to the Office of Intergovernmental Affairs, Room 106, Old Executive Office Building, Attention Loretta T. Avent, for payment in full to the U.S. Mint.

If you have any questions, please feel free to contact either myself or Sharon Kennedy at 202-456-6581.

In advance, thank you for your assistance on this matter.

cc: P. Lader
M. Hale
C. Rasco
D. Strong
S. Kennedy

APR 20 1994

MEMORANDUM

TO: Brian Focart
FROM: Loretta T. Avent LTA
DATE: April 19, 1994
RE: Indian Peace Medals

On behalf of the President, Phil Lader has directed the Office of Intergovernmental Affairs to enlist the services of the U.S. Mint for the production of 650 Thomas Jefferson Presidential Medals, with Indian Peace reverse. These medals are to be given as gifts from the President to the Tribal Leaders at their meeting on April 29, 1994 at the White House.

The cost for production, presentation cases, information cards and delivery of the medals will be \$1,625. IGA has been advised to contact you to insure that funds are available for these gifts, and that such monies should be sent directly to the U. S. Mint for payment in full. The contact person at the U. S. Mint is George Schafer at 202-874-5966.

Please feel free to contact Sharon Kennedy at extension 66581 if you have any questions.

Thank you.

cc: P. Lader
M. Hale
C. Rasco
C. Mills
D. Strong
S. Kennedy

file
TRIBAL LEADERS MEETING DRAFT SEQUENCE

Friday, April 29, 1994

South Lawn

Draft: 4/8/94

Invite Time: 2:30 p.m.
Tour for Tribal Leader: 1:00 - 2:30 p.m.
POTUS/FLOTUS Time: 3:00 p.m.
of Guests: approx. 600

2:30 p.m. Program participants arrive in the Diplomatic Reception Room for event briefing.

2:50 p.m. THE PRESIDENT arrives in the Map Room for logistical briefing.

3:00 p.m. THE PRESIDENT arrives in the Diplomatic Reception Room to greet program participants.

PROGRAM BEGINS:

-- Announcement of program participants. (confirm)
-- Announcement of THE PRESIDENT (Ruffles & Flourishes?)
-- Completion of Blessing of the Grounds 5 min.
-- Opening Prayer 15 min.
-- Veteran Color Guard Presentation 10 min.
-- Ceremonial Drums Performance 15 min.
-- Speaking Program/Presentation of Issues (8 Speakers) 30 min.
-- Presidential Remarks/No Q&A 20 min.
-- Signing Ceremony 5 min.
-- Gift Presentation to POTUS 5 min.
-- Closing Prayer 15 min.
-- Retiring of the Color Guard 5 min.
-- Program concludes. THE PRESIDENT departs via Diplomatic Reception Room. NO ROPELINE.

5:30 p.m. Guests depart via SE gate.

Event Contact: Sarah Ryan
Staff Contact: Loretta Avent

Event file

MEMORANDUM

TO: Phil Lader
Marcia Hale
Carol Rasco
Ricki Seidman
Alan Stone
Donsia Strong

FROM: Loretta T. Avent *lta*

DATE: April 18, 1994

RE: Tribal Leaders Meeting Material

Please find attached the letter I mentioned at our meeting that would be forthcoming from gaishkibos, President of the National Congress of American Indians (NCAI), and the supporting "Briefing Book". Since we only have one copy of the briefing book, it can be signed out from Elizabeth Spencer in Room 106.

We have one last planning meeting which should help put the final agenda together, and provide us with the eight presenters and their remarks, which I will ask to have by 5:00 p.m. on Monday, April 25. I asked JoAnn Chase, Executive Director to come over today and the most time she can squeeze in is 45 minutes. She leaves for New Mexico for her Executive Committee meeting. The one person she must meet with is Donsia regarding the policy preparations. If anyone else needs to talk with her, let me know. Ricki reminded me they met when we got the time extended.

We have had approximately four planning meetings with tribal leaders and the leadership of the 19 organizations representing Indian issues that are affiliated with NCAI. NCAI represents 165 Indian tribes and Alaska native villages. The Navajo tribe is not a member of NCAI, but I have made sure to have them participate in these meetings along with many other tribal leaders whose tribes are also not members of NCAI.

I have had no problems so far in working with Indian country through NCAI in organizing the April 29th event. They have been cooperative and very timely considering how many tribes MUST have input to reach consensus. They are flexible and will accommodate our schedule as requested. They are aware of our security, time, and logistic concerns. They will work closely with me to help insure a smooth and productive meeting with the President. The team working with me on the events will be Elizabeth Spencer, Sharon Kennedy, Elise Deal and Edie Lawder, because most of the tribes have met them during the past year and three months.

I will keep you posted on everything as I get new details or if changes arise. Thanks for all your help and support.

National Congress of American Indians

Est. 1944

EXECUTIVE COMMITTEE

President
gaiashkibos
Ojibwe

First Vice President
Susan Masten
Yurok

Recording Secretary
S. Diane Kelley
Cherokee

Treasurer
Mary Ann Antone
Tohono O'odham

AREA VICE PRESIDENTS

Aberdeen Area
Ken Billingsly
Standing Rock Sioux

Albuquerque Area
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Tesque Pueblo

Anadarko Area
Merle Boyd
Sac & Fox

Billings Area
John Sunchild, Sr.
Chippewa Cree

Juneau Area
Willie Kasayulie
Yup'ik

Minneapolis Area
Marge Anderson
Ojibwe

Muskogee Area
Donald E. Giles
Peoria

Northeastern Area
Keller George
Oneida

Phoenix Area
Irene C. Cuch
Northern Ute

Portland Area
Bruce Wynne
Spokane

Sacramento Area
Hank Murphy
Kumeyaay (Mission)

Southeastern Area
A. Bruce Jones
Lumbee

EXECUTIVE DIRECTOR
JoAnn K. Chase, J.D.
Mandan-Hidatsa

April 14, 1994

The Honorable William J. Clinton
President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear President Clinton:

Thank you for inviting the leadership of the Indian tribes and Alaska Native Villages to meet with you on April 29, 1994 at the White House. On behalf of the 165 tribes who are members of the National Congress of American Indians (NCAI), I want to express our hope that by working with your Administration we can create an effective partnership in pursuit of our common goals.

This letter is intended to summarize our priorities and expectations regarding our meeting with you and your staff as these matters have been discussed by Indian leaders sitting in tribal councils all across Indian Country.

Our highest priority as Tribal leaders has always been the protection and preservation of our tribal way of life. This sacred duty has been passed on from generation to generation for thousands of years and will continue into the future for as long as human societies exist on this earth. The most fundamental right which we consider essential to preserving our way of life has come to be known under U.S. law as the right of Tribal Sovereignty. This is the basis of Indian treaties which reserve part of our aboriginal lands to serve, in the language of the treaties, as a "permanent tribal homeland." Tribal sovereignty means that tribes are recognized, under the supreme law of the land, as the primary governments on our tribal homelands.

It is our fervent hope that our historic meeting with you will serve as an occasion for proclamation of a "Clinton Indian Policy" that not only reaffirms the historic commitment of the United States to the tribes but also articulates a future vision of permanent, economically self-sustaining tribal homelands.

We have concluded that the key to building an effective relationship between your Administration and the Tribes is to focus on the day-to-day contact between federal agencies and tribal governments. Far too many federal officials are totally ignorant of the most basic protocols which should govern such a relationship; namely, the courtesy of simple notice and consultation when their agencies are engaged in activities that impact the trust property and/or governmental rights of the tribes. It may surprise you to learn that this is not now the practice. Indeed, some federal agencies go to some lengths to avoid sharing information with tribes and otherwise treating them as governments.

Consequently, we propose that you consider issuing an Executive Order that would be similar to Secretary Babbitt's Departmental Order on the Trust Responsibility of November 8, 1993. Such an Executive Order would simply direct all federal officials to be aware of the federal trust responsibility and that all federal agencies are responsible for respecting the governmental rights of Indian tribes. In fulfillment of these responsibilities, federal officials should provide advance notice to any Indian tribe whose trust and/or governmental interests will be impacted or affected by an action of their respective agencies. At the request of the tribe, federal agency heads should be authorized and directed to engage in intergovernmental discussions to address any concerns the tribe may have about their proposed action. I have taken the liberty of attaching a rough draft of such an order for you to review as well as a copy of Secretary Babbitt's order on Trust Responsibility.

Mr. President, an Executive Order providing such simple and direct guidance to all federal officials to provide Indian tribes due process, notice of federal actions impacting trust properties, and basic respect for their rights of self-government would be truly historic. We further recommend that such an Executive Order be issued as part of a Presidential Policy Statement that reaffirms historical commitments to Indian treaty rights and articulate a future vision of permanent, self- sustaining tribal homelands.

o Economic Development Although relatively few tribes have benefitted from the opportunity to operate Indian gaming enterprises, the great majority of the 544 Indian and Alaska Native tribal communities suffer from severe problems of unemployment and undeveloped local economies. I am sure that you are aware that the average unemployment rate for all of Indian Country is approximately 45% despite

the overall improvements in the U.S. economy under your Administration. The special efforts your staff have been making with the empowerment zone and enterprise community legislation will not impact Indian Country since Congress specifically excluded Indian reservations from this program. Instead, Congress authorized a special wage credit and accelerated depreciation for private investors on Indian reservations.

Unfortunately, these two investment incentives by themselves will not have a measurable impact on the terrible economic conditions which exist on most reservations. We are aware that a working group on Indian economic development comprised of federal officials has met several times to try and develop an Administration initiative. However, no results have been forthcoming that we are aware of as of this date. The NCAI participated in a National Indian Economic Summit whose comprehensive recommendations were endorsed by a great many tribes in January, 1993. The report on this summit was officially transmitted to your office in March, 1993 and a copy is also attached to my letter for your information. In December, 1993, the NCAI membership adopted an economic development platform which called for a special task force to be created within the Community Enterprise Board which you established by executive order in September, 1993. Again, these proposals have been transmitted to your office and we look forward to your response.

o Natural Resource Management in Indian Country. With respect to natural resource management concerns, Mr. President, no one has greater respect and reverence for the land than the original inhabitants of this continent. Although there are differences among the tribes, we have a common set of beliefs and traditions regarding our responsibilities as caretakers for the natural world. In our philosophy, we are part of and inseparable from the natural world, linked together by the gifts of life and spirit. The remaining base of Indian lands is doubly precious to us and must be managed for preservation and production purposes. Consequently, in the context of your Administration's natural resource management program we ask that our tribal governments have a "seat at the table" as federal resource management decisions are made. Further we seek your support for the rights of Indian tribes to exercise primary jurisdiction over natural resource management within the boundaries of our reservations.

o Health and Human Services within Indian Communities. As in other arenas of government policy, in providing health and human services to our people the role of tribal government is of paramount concern. Your proposals in the Health Security Act are much appreciated in that they recognize the special treaty rights of Indians to adequate health care and are responsive to the concerns of tribal government

expressed to the First Lady when she attended the Indian Health Summit last March. As Congress debates Health Reform we intend to assert our interest and insure that the final version of the legislation authorizes a continuation of the Indian Health Service under the direction of tribal governing bodies. Although it will take a sustained effort over several years, we must upgrade the capabilities of the Indian Health Service in order for it to be able to provide a benefit package comparable to that offered to the general population. A national "Indian Board of Directors" representing the tribes should be appointed to supervise this effort and provide ongoing direction.

Welfare reform will be next on the national agenda and will require special attention to the severe unemployment problems in Indian communities. Clearly, when the local economies on most reservations are so underdeveloped that there are virtually no job opportunities, it makes no sense to limit public assistance eligibility to two years. As we discussed above, a comprehensive, multifaceted economic development program must be initiated if we are to bring the Indian economy up to a par with our non-Indian neighbors.

In the area of Housing the efforts of Secretary Cisneros have been very supportive of Indian needs. We have been particularly pleased with his attention to the need for assistance in developing the private housing sector on Indian lands. Due to the fact that most Indian communities are located on federal trust lands, a conventional mortgage lien cannot be secured in financing private housing. This constraint, in conjunction with other high risk factors, has greatly limited the construction of private housing stock which, in turn, has kept the economy from growing. Secretary Cisneros has not only supported additional funds for mortgage loan guarantees for Indian housing, but also worked with the Indian housing authorities in drafting legislation to charter a "Native American Financing Authority" which will buy and sell Indian mortgage loans. We look forward to seeing this bill sent to the Congress in the near future as an official Administration proposal.

o Building Strong Tribal Governments for the 21st Century. As Indian leaders look to the future we see a great need to stabilize the operation and financing of our tribal governments. In less than a generation we have seen tribal governments evolve from being essentially advisory committees for the reservation BIA superintendent to effective organizations which provide law enforcement protection, court services, health and welfare and all manner of civil regulatory functions. Indian tribal sovereignty, which has been consistently recognized under federal law during the past two hundred years, now faces the challenge of stabilizing after a period of tremendous growth. Under the 1975 Indian Self-determination Act, P.L. 93-638, tribal governments have a right to assume from the BIA and IHS the administration of local government services.

Most tribes have done so and many have taken the further step of compacting under the 1988 Tribal Self-Governance Act for total responsibility for governmental services on the reservation.

Mr. President, we now face the task of providing uniformity and predictability for tribal government budgets. With regard to that portion which consists of services formerly provided by the BIA and IHS, including management of natural resources on each reservation, we suggest that the current period of deficit reduction and government-wide "streamlining" presents an opportunity. Many tribal leaders have advocated that each tribe's budget should be a separate line item in the Appropriation Act for each year. The tribal delegates to the BIA Reorganization Task Force, have recently developed a proposal which calls for a "streamlining commission for BIA and IHS" and have requested time to discuss this with OMB Director Leon Panetta and the Appropriation Committees. Whichever proposal prevails, we ask your support to exempt from deficit reduction that portion of the BIA and IHS budget which goes to tribal services at the reservation level.

Tribal governments, like all governments, depend on tax revenue for operating budgets. However, unlike all other governments within our U.S. Federal system, we do not have control over our tax base. Federal Indian trust lands and related income have not been taxed due to long standing federal protections and high levels of poverty on the reservations which greatly restrict non-property based tax options. Adding to the complexity of our task is the fact that states and state subdivisions have been allowed to impose taxes on Indian reservations under recent Supreme Court rulings. The Court has concluded that states may tax the income of non-Indians and economic transactions on Indian reservations as long as the tax is imposed on the non-Indian. It is our view that federal supremacy law and policies provide support for a federal initiative to provide strong incentives for apportionment by all taxing jurisdictions in Indian Country. If states and tribes were only collecting taxes in relation to their actual government services and expenditures, the tribes could then identify and project a stable tax base. We hope there will be opportunity to discuss these matters with you.

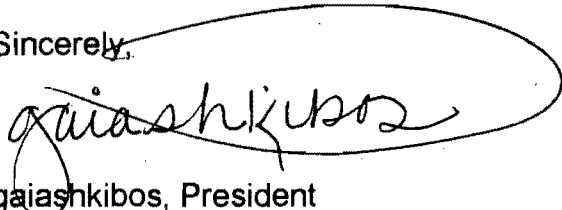
Mr. President, I sincerely hope this discussion has been helpful to you in gaining an overview of the concerns and priorities of tribal leaders as you plan for our April 29th meeting. There are, of course many more issues on the minds of tribal leaders. The National Congress of American Indians will be compiling a comprehensive document of tribal statements to be conveyed to your staff in conjunction with the meeting. However, many of these issues have been addressed in other contexts. For example, the "Native American Free Exercise of Religion Act" addresses issues which are absolutely essential to all tribes. As you know, your staff have already testified

The Honorable William J. Clinton
Page 6

example, the "Native American Free Exercise of Religion Act" addresses issues which are absolutely essential to all tribes. As you know, your staff have already testified favorably before Senator Inouye's Indian Affairs Committee on this bill and we look forward to working with them as Congress completes action on the bill this year. Indian gaming is also a major issue and we appreciate the support Secretary Babbitt has expressed on behalf of your Administration for the bi-partisan Congressional negotiations on Indian gaming.

In closing, I want to assure you that your agreement to meet with all 545 tribal leaders on the White House grounds, an event never before proposed in the 250 year history of U.S. - Indian tribal relations, has already conveyed a powerful message of concern to all Indian people. We look forward to working with you and your staff in the intervening weeks to complete preparations for this meeting and in developing an agenda of substance that would be appropriate for this truly great event.

Sincerely,

A handwritten signature in cursive script, enclosed within a hand-drawn oval. The signature appears to read "gaiashkibos".

gaiashkibos, President
National Congress of American Indians

ATTACHMENTS

Draft Executive Order/Department of Interior Order Number 3175
Tribal Coordinating Committee Priority Issues
Tribal Leaders Summit Discussion Papers
Joint Tribal/BIA/DOI Advisory Task Force Report
Building Reservation Economies and Sustainable Homelands
Returning to A Natural State of Good Health

THE WHITE HOUSE

WASHINGTON
April 18, 1994

MEMORANDUM FOR DISTRIBUTION

FROM: Carol H. Rasco, Assistant to the President for
Domestic Policy

SUBJECT: Meeting Notice

As you are probably aware, the President will host, at the White House, all federally recognized Native American tribal leaders on April 29. This is another step in this Administration's serious and deep commitment to Native Americans and the issues of concern to them.

There will be a briefing and discussion for interested White House staff on the status of Native Americans, certain policy issues being explored by the Administration and certain accomplishments to date on Thursday, April 21, 10:00-11:00 in the Roosevelt Room.

Please respond to Rosalyn Miller at 62216 or by e-mail as soon as possible if you and/or others from your department plan to attend.

Thank you.

DISTRIBUTION:

Mack McLarty

Laura Tyson

Leon Panetta

Bob Rubin

Phil Lader

David Gergen

George Stephanopoulos

Joan Baggett

Veronica Biggins

Mark Gearan

Pat Griffin

Marcia Hale

Alexis Herman

John Podesta

Jack Quinn

Ricki Seidman

Maggie Williams

Katie McGinty

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

Send copy to (original to CHR): _____

Schedule ? : Accept Pending Regret

Designee to attend: _____

Remarks: _____

APR 20 1994

MEMORANDUM

TO: Brian Focart
FROM: Loretta T. Avent LTA
DATE: April 19, 1994
RE: Indian Peace Medals

On behalf of the President, Phil Lader has directed the Office of Intergovernmental Affairs to enlist the services of the U.S. Mint for the production of 650 Thomas Jefferson Presidential Medals, with Indian Peace reverse. These medals are to be given as gifts from the President to the Tribal Leaders at their meeting on April 29, 1994 at the White House.

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Please feel free to contact Sharon Kennedy at extension 66581 if you have any questions.

Thank you.

cc: P. Lader
M. Hale
C. Rasco
C. Mills
D. Strong
S. Kennedy

411

TRIBAL LEADERS MEETING DRAFT SEQUENCE

Friday, April 29, 1994

South Lawn

Draft: 4/8/94

Invite Time: 2:30 p.m.
Tour for Tribal Leader: 1:00 - 2:30 p.m.
POTUS/FLOTUS Time: 3:00 p.m.
of Guests: approx. 600

2:30 p.m. Program participants arrive in the Diplomatic Reception Room for event briefing.

2:50 p.m. THE PRESIDENT arrives in the Map Room for logistical briefing.

3:00 p.m. THE PRESIDENT arrives in the Diplomatic Reception Room to greet program participants.

PROGRAM BEGINS:

- Announcement of program participants. (confirm)
- Announcement of THE PRESIDENT (Ruffles & Flourishes?)
- Completion of Blessing of the Grounds 5 min.
- Opening Prayer 15 min.
- Veteran Color Guard Presentation 10 min.
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- Presidential Remarks/No Q&A 20 min.
- Signing Ceremony 5 min.
- Gift Presentation to POTUS 5 min.
- Closing Prayer 15 min.
- Retiring of the Color Guard 5 min.
- Program concludes. THE PRESIDENT departs via Diplomatic Reception Room. NO ROPELINE.

5:30 p.m. Guests depart via SE gate.

Event Contact: Sarah Ryan
Staff Contact: Loretta Avent

TRIBAL LEADERS MEETING
4/22/94 Planning Meeting

- I. Summary of New Mexico Meeting

- II. Overall Communications Plan

- III. Update on Hotel Activities for 4/29/94
 - Program
 - Logistics

- III. Update on South Lawn Event
 - Program
 - Remarks/Substance
 - Tour
 - Audience
 - Logistics

- IV. Walkthru on Wednesday

Note: Logistical Meeting Schedule (A. Stock's Office):

- Monday at noon
- Tuesday at 10am
- Tuesday at 5pm
- Wednesday at 10am/Walkthru time to be scheduled
- Thursday walkthru to be scheduled

THE WHITE HOUSE

WASHINGTON
April 18, 1994

MEMORANDUM FOR DISTRIBUTION

FROM: Carol H. Rasco, Assistant to the President for
Domestic Policy

SUBJECT: Meeting Notice

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Please respond to Rosalyn Miller at 62216 or by e-mail as soon as possible if you and/or others from your department plan to attend.

Thank you.

DISTRIBUTION:

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Laura Tyson
Leon Panetta
Bob Rubin
Phil Lader
David Gergen
George Stephanopoulos
Joan Baggett
Veronica Biggins
Mark Gearan
Pat Griffin
Marcia Hale
Alexis Herman
John Podesta
Jack Quinn
Ricki Seidman
Maggie Williams
Katie McGinty

Cawl - —

I checked w/ Doreen
She also got a copy -

She said she sent a
copy to Peter Stone

— H

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY APR 26 1971

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

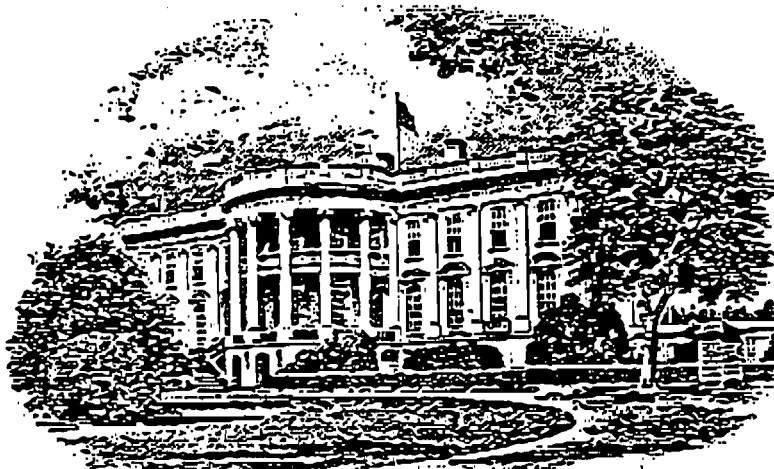
Send copy to (original to CHR): _____

Schedule ? : Accept Pending Regret

Designee to attend: _____

Remarks: _____

APR 26 REC'D



FAX TRANSMISSION

**The National Economic Council
The White House**

To: Carol Rasco / Donsia Strong

Phone: _____ FAX: 62878

From: Peter Yu

Phone: 202-456-2802 FAX: 202-456-2223

Date: 4/26

Time: _____

Pages to follow: _____

THE WHITE HOUSE
WASHINGTON

April 25, 1994

MEMORANDUM FOR CAROL RASCO & DONSLIA STRONG

CC: Gene Ludwig
FROM: Peter Yu
SUBJECT: Tribal Leaders Event

Attached please find a thoughtful memorandum from Gene Ludwig on the Comptroller's efforts to enhance access to credit and banking services for Native Americans.

I hope that you can work Gene into the program of the 29th: no one understands better the banking needs of distressed communities and no one communicates better on these important issues than Gene.

Thanks.



MEMORANDUM

Comptroller of the Currency
Administrator of National Banks

Washington, DC 20219

To: Peter Yu
From: Eugene A. Ludwig
Date: April 25, 1994
Subject: Recent OCC Initiatives re Native Americans

This is in response to your request for a brief outline of OCC activities to address the credit, investment and banking service needs of Native Americans.

Previous Activities

Navajo Nation Trip

As part of President Clinton's CRA reform effort, the OCC and the other depository institution regulatory agencies held a series of public hearings across the nation in 1993. The hearings were unprecedented in their size and scope. Following the hearing in Albuquerque in September, President Peterson Zah invited me to visit the Navajo Nation to attest to the lack of credit and banking services on the reservation. To learn more about the role CRA could play in this area, I accepted President Zah's invitation.

While touring the Navajo Nation on March 29-30, I met with representatives from the Navajo Nation Economic Development Division, Shorebank Advisory Services, the Navajo Nation Business Association, the Navajo Agricultural Products Industry, as well as the Department of Justice.

I also chaired a meeting with over 30 bankers from New Mexico, Arizona and Utah. This meeting was significant because it was by far the largest group of bankers ever to meet with President Zah and representatives of the tribal government in the heart of the reservation, and because it stimulated a productive dialogue between commercial bank lenders and the Navajo Nation that is likely to lead to increased credit and other services.

In addition, I had a personal meeting with President Zah at the Navajo Nation capital of Window Rock to discuss the banking needs of the Navajo Nation. The meeting was followed by a joint press conference at the Navajo Nation Inn.

Also as a result of this trip we have undertaken review of the projects listed under "Current Plans" below.

Other Activities

- In 1993, the Navajo Nation protested the acquisition of Citibank Arizona by Norwest Bank Arizona based on what the Navajo Nation believed was a poor track record for providing financial services to Native Americans. The approval letter and decision document from the OCC was conditioned upon an agreement between the Navajo Nation and Norwest whereby Norwest made several commitments including offering new branches and ATMs on the reservation in order to become "an integral part of the economic and community development strategies of the Navajo Nation."
- I designated the Community Development Division in Washington as the contact point for follow-up activities on Native American issues and indicated this in my letter to President Zah.
- The OCC has approved an operating subsidiary for a national bank that will manage Native American and BLA funds as part of its investment advisory services.
- I held monthly meetings last year with national groups to discuss issues related to how banks provide credit and other services to underserved markets. Representatives from the major Native American groups participated in some of these meetings.

Current Plans

- The OCC will explore legal issues regarding the ability of banks to make mortgage loans on Indian reservations, and will work towards developing innovative solutions to Native American credit needs.
- The OCC is preparing guidance for our examiners and national banks on the issues affecting the availability of credit to Native Americans.
- The OCC will educate national banks about federal government programs that are targeted to Native Americans.
- I will participate as a member of the Community Empowerment Board's Subcommittee on Indian Economic Development.

- The OCC will continue to provide technical assistance to the BIA in the Bureau's selection process for a financial data system to track the \$2.4 billion in national trust funds it administers for Indian tribes.
- I plan to have one of my staff specialize in Native American issues.
- The OCC will continue to provide technical assistance to Indian tribes that are exploring the possibility of chartering their own banks.
- The OCC will participate at major conferences and meetings on Native American issues, and will maintain regular contact with national Native American organizations.
- We will address a variety of Native American concerns about CRA in the CRA reform regulations.

Future Plans

- We will continue to work with Native Americans in Indian Country to address the need for credit, investment and other financial services that financial institutions can provide.
- As we identify regulatory and supervisory barriers that generally impede the flow of credit and capital into underserved markets, we will address the credit and capital needs of Indian Country as part of our response.

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

APR 25 1993

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

Send copy to (original to CHR): _____

Schedule ? : Accept Pending Regret

Designee to attend: _____

Remarks: _____



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

FAX TRANSMISSION

TO: Carol Rava
AGENCY/DEPT: OPD
ROOM NO./BLDG. _____
TELEPHONE: 6-2216
FAX NUMBER 6-2878

FROM: Mac Reed
Office of the General Counsel

TELEPHONE NO.: (202) 395-5600
FAX NUMBER NO.: (202) 395-7294

DATE: 4-25-94

NO. OF PAGES (including cover): 5



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 25, 1994

MEMORANDUM FOR DESIGNATED AGENCY HEADS
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus (RD)
General Counsel

SUBJECT: Proposed Executive Memorandum Entitled "Policy
Concerning Distribution of Eagle Feathers for
Native American Religious Purpose"

Attached is a proposed Executive memorandum entitled "Policy Concerning Distribution of Eagle Feathers for Native American Religious Purpose."

It was prepared by Domestic Policy Council, in accordance with the provisions of Executive Order No. 11030, as amended.

On behalf of the Director of the Office of Management and Budget, I would appreciate receiving any comments you may have concerning this proposal. If you have any comments or objections, they should be received no later than 12:00 noon Tuesday, April 26, 1994. Please be advised that agencies that do not respond by the April 26, 1994 deadline will be recorded as not objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr. Mac Reed of this office (Phone: 395-3563; Fax: 395-7294).

Thank you.

Attachments - Distribution List
Proposed Executive Order

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Initials: PC Date: 8-23-05

~~-DRAFT 4/21/94-~~
~~-CONFIDENTIAL-~~

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

Subject: Policy Concerning Distribution of Eagle Feathers for Native American Religious Purposes

Eagle feathers hold a sacred place in Native American culture and religious practices. Because of the feathers' significance to Native American heritage and consistent with due respect for the government-to-government relationship between the Federal and Indian tribal governments, this Administration has undertaken policy and procedural changes to facilitate the collection and distribution of scarce eagle bodies and parts for this purpose. This directive affirms and formalizes Executive branch policy to ensure that progress begun on this important matter continues across the Executive branch.

Today, as part of an historic meeting with all federally recognized tribal governments, I am directing Executive departments and agencies (hereafter collectively "agency" or "agencies") to work cooperatively with tribal governments and to reexamine broadly their practices and procedures to seek opportunities to accommodate Native American religious practices to the fullest extent under the law.

As part of these efforts, agencies shall take steps to improve their collection and transfer of eagle carcasses and eagle body parts ("eagles") for Native American religious purposes. The success of this initiative requires the participation, and is therefore the responsibility, of all Federal land managing agencies, not just the Department of Interior. I therefore direct each agency responsible for managing federal lands to diligently and expeditiously recover salvageable eagles found on lands under their jurisdiction and ensure that the eagles are promptly shipped to the National Eagle Repository ("Repository"). To assist agencies in this expanded effort, the Secretary of the Department of Interior shall issue guidelines to all relevant agencies for the proper shipment of eagles to the Repository. After receiving these guidelines, agencies shall immediately adopt policies, practices and procedures necessary in accordance with these guidelines to promptly recover and transfer eagles to the Repository.

I support and encourage the initial steps taken by the Department of Interior to improve the distribution of eagles for Native American religious purposes. In particular, the Department of Interior shall continue to adopt policies and procedures and take those actions necessary to:

- (a) ensure the priority of distribution of eagles, upon application, first for traditional Native American religious purposes, to the extent permitted by law, and then to other uses;
- (b) simplify the eagle permitting application process immediately and to the greatest extent possible to help achieve the objectives of this directive;
- (c) minimize delay in processing and distributing eagles for Native American religious purposes to the greatest extent possible;
- (d) expand efforts to involve Native American tribes, organizations and individuals in the distribution process, both at the Repository and on tribal lands, consistent with applicable laws;
- (e) review means to ensure that adequate refrigerated storage space is available to process the eagles; and
- (f) continue efforts to relocate the Repository to facilitate the objectives of this directive.

The Department of Interior shall be responsible for coordinating any interagency efforts to address continuing Executive branch actions necessary to achieve the objectives of this order.

We must continue to be committed to greater intergovernmental communication and cooperation. In addition to working more closely with tribal governments, we must enlist the assistance of, and cooperate with, State and local governments to achieve the objectives of this directive. I therefore request that the Department of Interior work with State fish and game agencies and other relevant State and local authorities to facilitate the objectives of this directive.

With commitment and cooperation by all of the agencies in the Executive branch with tribal governments, I am confident that we will be able to accomplish meaningful progress in the distribution of eagles for Native American religious purposes.

This directive does not apply to eagles that are held for evidentiary purposes. The Director of the Office of Management and Budget is authorized and directed to publish this directive in the Federal Register.

WILLIAM J. CLINTON

April 28, 1994

MEMORANDUM FOR THE PRESIDENT

FROM CAROL H. RASCO
 DONSIA STRONG

SUBJECT AMERICAN INDIAN POLICY

BACKGROUND

The United States Government has a unique legal relationship with Indian tribal governments as set forth in treaties, statutes, court decisions, and the Constitution of the United States. Under treaties and federal law, the United States promised to uphold the rights of Indian tribes and became the trustee of Indian lands and resources. While Indian tribes are referenced in the Commerce Clause of the Constitution, it was later legislation that made clear that Indian tribes would deal directly with the Federal government as opposed to states with regard to land transfers and other matters.

A series of Supreme Court cases established the fundamental maxims of Indian policy. First, Congress has plenary power over Indian tribes. Second, the federal government has a trust responsibility to the tribes. State laws are ineffective on reservations absent express Congressional grant. Last, Indian tribes retain all sovereignty not expressly withdrawn by Congress.

This last principle makes tribal status unique in the United States. Tribes envision being treated much the same as state or local governments, with full rights to consultation by all federal agencies on issues or activities of any agency that affects them. Court cases describe them as "domestic, dependent nations," giving them a distinct status. The Federal government has a long standing trust responsibility to tribes that flows throughout each department of the Executive branch.

ISSUES

At tomorrow's meeting, eight tribal leaders will make presentations on specific issue areas of concern to Indians as a whole. Each of the issue areas they will raise will be addressed in your prepared statement.

Tribal Sovereignty

Tribal government sovereignty derives from the presence and dominion of the Indian Nations in America as self-governing powers long prior to involvement with the Founding Fathers. The unique, distinct status of tribal nations as sovereigns requires the federal government to interact with them on a government-to-government level. At the meeting tomorrow, you will sign a directive ordering each Executive department and agencies to recognize their government-to-government relationship with tribes and acknowledge a shared responsibility to protect Indian trust assets.

Native Americans strongly desire strengthened tribal sovereignty. They assert that the primary government on reservations is, and should be, the tribal government. In their view, only tribal governments can assess tribal needs and implement programs and policies that address such needs in a culturally appropriate manner. The tribes are calling upon this Administration to develop policies that encourage and empower tribal governments to develop their reservations in the manner they choose for themselves.

The Administration's policy of actively supporting the concept of self-governance and self-determination are designed to enhance tribal sovereignty. Self-governance allows tribes to compact for full responsibility to design and operate a variety of reservation programs and services to their reservations. Under the current demonstration project, up to 30 tribes are allowed to participate in this "block grant" concept. The Self Determination Act allows tribes to contract to operate certain federal government programs and services themselves. Final regulations will be published by the end of the year which will establish the scope of federal programs that may be contracted by tribes.

The Department of Interior believes that its trust responsibilities require it to retain authority and funding to serve smaller tribes which choose not to undertake self-governance compacts.

Chairman Gregg Bourland of the Cheyenne River Sioux Tribe will make the presentation on tribal sovereignty.

Religious Freedom

Religious freedom is a priority issue among Native Americans. Many Native Americans have found that the practice of their religion has been encumbered by Federal government policies and practices. Senator Inouye has introduced the Native American Free Exercise of Religion Act, which would protect sacred American Indian religious sites, protect the ceremonial use of peyote by members of the Native American Church, provide better

access to eagle feathers for religious purposes, and grant rights to Native American prisoners to practice their religion while incarcerated. You will sign a directive acknowledging the importance of eagle feathers and ordering a more coordinated approach for collection of eagles feathers among the land management agencies.

Federal agencies and the White House have actively worked with a coalition of Indian interest groups and Senate staff to resolve the Administration's concerns about land management, public safety, and national security arising under the proposed legislation. The Administration has testified in support of the concepts and goals of the legislation. The critical obstacle to reaching agreement is the need to preserve the secrecy required by the northern New Mexico pueblo's in their religious observances. Pueblo are precluded from disclosing certain things about their religions. However, it is virtually impossible to protect a sacred site or refrain from disturbing it if the government does not have enough information to credibly do so.

Governor Yates of the northern pueblo area of New Mexico will deliver the address regarding religious freedom and ask that you direct the Administration to support legislation to protect the practices.

Natural Resources

Tribes have always displayed great respect and reverence for the land and strongly believe they have primary responsibility as caretakers for natural resources on tribal lands. The tribes believe they require more funding to support resource protection and development. In some cases, natural resource development offers some of the few opportunities for economic development programs on reservations. Tribes are also interested in a guarantee of full participation in the management of fisheries, wildlife and recreational resources on tribal lands.

For many years, tribes have been involved in lawsuits where the Federal government has sued various non-Indian parties to quantify and secure the tribes reserved water rights. The Administration has established a \$200 million fund to assist in settling water rights litigation and has been working with the parties to reach acceptable settlements of these water disputes. The tribes recommended this action at the National Indian Economic Summit.

Chairman Willie Kasayukie of Alaska will deliver the address concerning natural resources. Alaska Natives specifically want restoration of aboriginal hunting and fishing rights, which were legislatively extinguished in 1971.

Economic Development

Tribal governments seek to establish the conditions necessary for sustained economic growth in Indian Country. Tribal economies suffer from severe problems of unemployment and undeveloped local economies. The average unemployment rate for all of Indian Country is about 45%. Reservations are not eligible for empowerment zone designation. This is because Tribal leaders, concerned that empowerment zones would be limited in number and

that only a few tribes could participate, advocated broad tax incentives available to all businesses that located on Indian reservations.

The Administration recognizes that the tax incentives alone will not be sufficient to restore tribal economies. A more comprehensive, multifaceted approach is necessary. To that end, the Vice-President established a working group as part of the Community Enterprise Board to develop a comprehensive strategy for economic development on reservations. The subcommittee is co-chaired by Ada Deer, Department of Interior and Bob Nash, Department of Agriculture. The subcommittee will review existing tribal generated proposals and draw from the concepts of enterprise communities.

Tribes also view economic development as important because it will create a tax base to support essential services they must provide. Tribes would like the Clinton Administration to support a policy that reinforces the right of tribes to tax transactions, privileges and property interests as an exclusive tribal right on reservations. Such a policy would deny states the ability to tax non-Indian businesses or services or goods sold to non-Indians on reservations.

Gaming

Gaming operations provide significant revenues to many Tribes, but have also caused controversy on the issue of tribal sovereignty and states rights.

There are over 300 gaming operations on 103 Indian reservations. In 1991, \$15 billion was wagered at Indian gaming operations (5 percent of total U.S. wagerings). After paying winnings, tribes grossed \$1.5 billion in revenues. Many tribal leaders regard this as a major economic opportunity with which to fund tribal initiatives, boost employment opportunities and promote economic development.

The Indian Gaming Regulatory Act of 1988 (IGRA) provides a regulatory scheme that authorizes Indian tribes to conduct gaming on Indian lands. Three classes of gaming are defined by the Act:

- Class I - (social and traditional games) not subject to regulation;
- Class II - (bingo and similar games) subject to tribal regulation with oversight by the National Indian Gaming Commission; and
- Class III- (all other games) regulated by a tribal-state compact entered into by the tribe and the state.

Although states originally fought to have a voice in the regulation of Indian gaming, some states have refused to negotiate compacts and have challenged the constitutionality of the provisions in IGRA requiring them to "bargain in good faith." Recently, the Eleventh Circuit Court of Appeals declared these provisions unconstitutional, but if the state refuses to bargain, the tribes can go to the Secretary to prescribe procedures under which they can game.

Secretary Babbitt's staff has begun to develop such guidelines. However, there is substantial legal analysis which must be conducted before the guidelines can be issued.

The Department of Justice has filed an amicus brief in support of the constitutionality of IGRA in the Ninth Circuit.

President Ivan Makil of Salt River Pima-Maricopa Indian Community of Arizona will offer the Tribes' views on economic development.

Budget and regulation

The total federal government "Indian budget" is \$6 billion dollars. This represents one-half of one percent of the total federal government budget. Tribes assert that while they support many of the reforms embodied in the NPR, tribal governments should not be held responsible for the federal deficit. They further assert that in light of the government-to-government relationship, the "Indian budget" should be exempt from federal deficit reduction as are other federal agencies. There has been no policy discussion of this proposal within the Administration.

Indians assert that Bureau of Indian Affairs should not be the sole Indian service agency. They believe all federal agencies have a responsibility to support and assist tribes and that their budgets should reflect such a commitment.

Chairman Ron Allen of Jamestown S'Klallam Tribe of Washington will discuss budget issues.

*Specific budget points are attached.

Health and Education

Health

The Administration's initial FY 95 budget contained a substantial cuts in the Indian Health Service budget (IHS). The outcry from the Congress and the tribes had been substantial. In the budget amendment transmitted last week, HHS restored \$124 million to the IHS budget, which should mean no cuts in actual services. It does, however, include a pause in new health facility construction and reduces for one-year sanitation facility construction funding.

The Health Security Act includes a separate section addressing Indian health issues exclusively. No other health reform proposal currently before Congress, or proposed to date, specifically addresses American Indians and Alaska Natives. The tribes will go on record in support of the main elements of the Health Security Act.

The tribes have urged continuation of the Indian Health Service under the direction of tribal governments. However, they assert that the FTE ceilings currently in place will undermine their ability to participate in the Health Security Act.

Tribes believe that IHS capabilities must be upgraded in order for it to be able to provide a package comparable to the general public under health care reform. Tribes also have advocated a national "Indian Board of Directors" to provide ongoing direction for health care reform.

Education

Goals 2000, ESEA reauthorization and the School-to-Work Opportunities Act support efforts by tribes and local communities to help American Indian and Alaska Native students achieve the same high academic standards expected of all students. Goals 2000 contains a BIA set-aside for tribally run schools. About 10 percent of all Indian children attend tribal schools. ESEA provides an authority to maintain and support native cultures and languages while at the same time helping them succeed in the 21st century.

Tribes have called for increased funding as well as priority access to federal assistance for tribally controlled colleges and universities. In addition, they urge direct partnerships between the tribal government, states and other institutions.

Chairman Dale Risling of the Hoopa Valley Tribe will deliver these remarks.

Housing

On reservations, housing conditions are characterized by dilapidated, substandard and often overcrowded buildings, many still in need of basic plumbing. There is virtually no stock of public housing on reservations. In addition, conventional credit is not readily available for purchasing housing located on trust property.

Indians urge establishment of a Native American Finance Authority to finance housing for Indians, Native Americans and Hawaiians. Secretary Cisneros has indicated strong support for the concept. This proposal also has potential for economic development on reservations. The Indian Economic Development subcommittee will actively review this proposal on a fast track.

Administration legislative initiatives

The tribal leaders are very concerned that many legislative initiatives proposed or simply supported by the Administration have adverse impacts on tribes. They are requesting that they be consulted during development of the initiatives. For example:

The crime bill's three-strikes provision would have a disproportionate impact on Indians because reservations are all federal property. In addition, virtually all major crimes are handled in federal court.

Welfare reform would create a deeper problem for reservations because of the lack of private sector jobs being developed on reservations. Unless they can develop their economies, welfare reform will do little to attack the root problems.

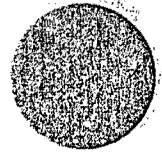
The tribes urge the development of the information highway include a place for tribes.

Chairwoman Joann Jones of the Wisconsin Winnebago Nation will deliver the presentation on legislative initiatives.

Exec. Order
7/16/06
Regulatory Review

Exec. Director
Joanne Chase
(202) 546-9404

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY



CAROL H. RASCO
Assistant to the President for Domestic Policy

to: Monica XC KWay
only CHR

Draft response for POTUS
and forward to CHR by: _____

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Please reply directly to the writer
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National Congress of American Indians

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INTERIM EXECUTIVE DIRECTOR
Rachel A. Joseph
Shoshone-Palute-Moro

March 22, 1994

The Honorable Carol Rascoe
Assistant to the President
for Domestic Policy
The White House
Washington, D.C. 20500

White House Meeting With Tribal Leaders

Dear Ms. Rascoe:

On behalf of the National Congress of American Indians ("NCAI") let me first say how pleased our member tribes are at the welcome news that President Clinton has agreed to meet with American Indian tribal leaders from across the United States on April 29, 1994.

The problems facing Indian country today are legion and merit special attention. While we are enthused at the prospect of meeting with the President, we are concerned that there is some confusion and miscommunication surrounding the agenda and purpose for this historic meeting, and the agenda and purpose for the scheduled "Listening Conference" to take place in Albuquerque, New Mexico, on May 5-6, 1994. In our view, the meeting with President Clinton stands alone in scope and also in terms of the historical nature of the meeting. Any confusion may serve to undermine the significance of such a meeting. The President himself, as leader of the free world, will be meeting with the leaders of Indian Nations and will be in a position to personally discuss the concerns and hopes of American Indians. We certainly hope that this important meeting is not merely a "prelude" to subsequent meetings with the President's staff.

To clarify these issues I would like to arrange a meeting with your office to be attended by my Executive Staff and an NCAI Executive Officer to discuss how we can approach the April 29, 1994, meeting and make it effective and purposeful. To this end, Ms. JoAnn Chase of our staff will follow-up with your office to discuss these issues.

Georgette Horse, Asst.

Sincerely,

galashkibos

galashkibos
President

cc: Loretta Avent

002/004

THE DENVER POST

Voice of the Rocky Mountain Empire

* Final Edition / 25 cents
35/50 cents in Designated Areas



Clinton to meet tribal leaders

By Kit Minicler
Denver Post Staff Writer

For the first time in their history, American Indian leaders are being invited to air their grievances and concerns with the two cabinet members most responsible for Uncle Sam's evolving obligations to the Indians.

President Clinton announced yesterday that 545 tribes are being invited to a two-day meeting in Albuquerque with Interior Secretary Bruce Babbitt and Attorney

Reno, Babbitt will hear grievances

General Janet Reno on May 5 and 6. The Bureau of Indian Affairs is under Babbitt's jurisdiction and federal law enforcement on reservations is under Reno's.

Clinton himself plans to meet Indian leaders in late April to explain his administration's "overall commitment to ensuring American Indian sovereignty and about how his domestic agenda impacts American Indians," according to an ad-

ministration statement.

However, practically every topic on the agenda for the New Mexico meeting raises potential challenges to Indian sovereignty. They include Indian gambling, tribal and federal responsibility for use and management of tribal land, water and natural resources, the status of tribal government and courts, and the free exercise of religion.

More than 65 Indian tribes in about 20 states have opened gambling casinos since the Indian Gaming Regulatory Act was approved by Congress in 1988. Now, there are several proposals to change the law.

One of the most controversial ideas directly challenging Indian nationhood would be a 4 percent federal excise tax on net gambling revenues. The Wall Street Journal reported that the tax will be rec-

Please see MEETING on 11A

NARF DC

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16:08

03/22/94

Indian meeting a sign of 'change'

MEETING from Page 1A

ommended today at a cabinet meeting by Clinton's welfare-reform working group.

The proposal "is certain to draw fierce opposition from casinos and Indian groups, which have expanded their presence in casino gambling in recent years and wouldn't be exempt from the tax," the Journal said yesterday.

"Indian gaming is a major source of economic development. . . . If we remove it or curtail it," then other means of economic development would have to be considered, Gerald Torres, Reno's counsel, told reporters yesterday, without elaboration.

During a half-hour national conference call with a dozen journalists, Torres repeatedly stressed that Reno and Babbitt were coming to listen and learn, at least for the moment.

"Rather than coming to dictate a policy to Indian country, she wants to come and listen and then come back," Torres said of Reno.

The conference reflects the Clinton administration's "desire to create meaningful change . . . (and) to fulfill long-held promises and to address long overdue injustices in Indian country," according to a Justice Department press release.

Torres declined to explain either "meaningful change" or specify any "long overdue injustices" that might be addressed.

Acknowledging the difficulty of effectively listening to 545 tribes in two days, Torres said written

U.S. gambling tax to aid welfare plan?

By Julia Angwin
States News Service

WASHINGTON — President Clinton is mulling a gambling tax to help finance his plans to reform the nation's welfare system, according to administration and congressional sources.

A welfare-reform working group will suggest the gaming tax as "one of many options" in a cabinet meeting with President Clinton today, said an administration official who asked not to be named.

The excise tax on net gambling revenues could raise billions of dollars for the federal government. However, the administration has not decided yet how much will be needed.

"We still expect the bulk of the financing to come from entitlement reform," the official said.

The welfare reform group will propose a 4 percent tax on gambling establishments, after taking out winnings and state taxes, the Wall Street Journal reported yesterday. State lotteries would be exempt from the tax.

A 4 percent tax would have cost Colorado casinos \$10 million in 1993, according to the state gaming division. Last year the casinos took in \$259 million, and paid \$37 million in state taxes.

But state taxes are graduated, so that operators only pay 2 percent tax on the first million dollars they make, and 18 percent

on revenues over \$3 million.

"The federal tax would affect the small mom and pop organization more than it would the larger casinos," said Don Burmania, spokesman for the Colorado Division of Gaming.

But the question may be moot: Many called the Journal article a "trial balloon," designed by the administration to gauge public reaction to an idea.

The welfare working group, which includes White House and federal agency officials, has been examining ways to put a two-year limit on welfare benefits. An administrative official said the program could cost as much as \$6 billion alone in its fifth year of implementation.

testimony and comments would be accepted as well.

Another topic likely to be addressed in the Albuquerque meeting is whether tribes should be exempt from proposed "three strikes you're out" legislation that would send three-time convicts to prison for life. The bill is being debated in congressional committees.

Other likely subjects include a controversial proposal to send youth offenders to Bureau of Indian Affairs boarding schools and whether to build juvenile detention facilities on reservations.

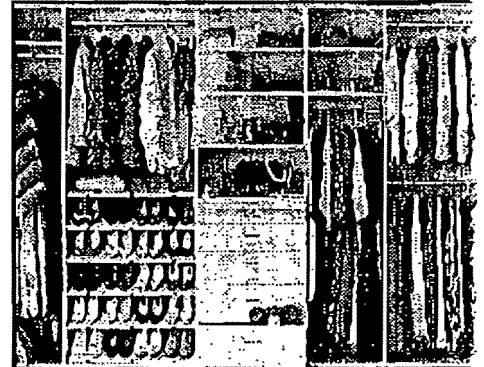
Tribal leaders say the proposed meetings represent the first major effort by the White House to reach out to the nation's Indians since the presidency of Richard Nixon.

Many Indians, including tribal Chairman Leonard Burch of Colorado's Southern Ute tribe, credit Nixon with reversing the official policy of suppressing Indian culture, language and traditions, as BIA had systematically done since its creation in 1824. They say Nixon opened the door to Indian self-determination a quarter of a century ago.

Burch was a co-founder of the Council of Energy Resource Tribes, which now helps 53 American Indian tribes develop and manage their own resources.

As Indians have increasingly taken over their own affairs from the BIA, their influence in Washington has grown and their nationwide population jumped 37.9 percent between the 1980 and 1990 census, from 1.4 million to 1.9 million.

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03/22/94 16:09

NATIVE AMERICAN CONFERENCE: President Clinton wants to know what's on the minds of Native Americans. In what's said to be the first gathering of its kind at the White House, the president invited leaders of all 545 federally recognized tribes and villages to meet with him late next month.

This is a prelude to a May 5-6 meeting in Albuquerque, where Attorney General Janet Reno and Interior Secretary Bruce Babbitt will hear tribal complaints and ideas on everything from Native American gaming and religious freedom, to crime and juvenile justice.

Tesuque Pueblo James Hena, chair of the All Indian Pueblo Council in Santa Fe, says the message will be much the same as in past years: Native American health is abysmal, tribal schools need funding, tribal housing is inadequate, economic opportunities are lacking. "I've heard the same (promises) for the last 35 years," Hena says. "I've yet to see anyone carry them out, from either party." One issue certain to be on tribal agendas: pass the Native American Religious Freedom Act.

Gerald Torres, counsel to Reno, says the information will help mold new policies to end "inefficiencies and redundancies" in Native American policy.

DIVE IN: The government is considering allowing recreational dives at the site of the sunken Civil War ironclad Monitor. The National Oceanic and Atmospheric Administration says it is looking for a company to manage recreational dives at the Monitor National Marine Sanctuary off the North Carolina coast. Dives by researchers have been allowed, but other visits are banned because of damage fears. No timetable was announced. The Monitor went down 16 miles off Cape Hatteras during a storm at the end of the Civil War. It was found in 1973, at a depth of 230 feet. The marine sanctuary was established in 1975.



RENO: Will hear tribal complaints

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USA Today
March 22, 1994

THE WHITE HOUSE

WASHINGTON

March 31, 1994

MEMORANDUM FOR GAIASHKIBOS, PRESIDENT
NATIONAL CONGRESS OF AMERICAN INDIANS

FROM: Rosalyn ^{Ham} Miller for Carol H. Rasco, Assistant to
the President for Domestic Policy

SUBJECT: White House Meeting

As we agreed in our conversation on Tuesday, March 29, I have been attempting to reach your secretary, Linda, to arrange a meeting next week between yourself, Carol Rasco and Marcia Hale, Assistant to the President for Intergovernmental Affairs. Because I have been unsuccessful in my efforts to reach Linda by phone, I would appreciate your asking her to call me at (202)456-2216.

Thank you.

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- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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