Exhibit 217

in the case of:

People of the Republic of Texas
and the
Sovereign Nation of the Republic of Texas

v.

UNITED NATIONS
(and all it's Political Subdivisions)
and
UNITED STATES
(and all it's Political Subdivisions)

Under Pains and Penalties of perjury and the laws of the Almighty, and being sworn under a vow and oath, I attest that the attached pages are true and correct reprints of the:

The Trail of Broken Treaties from the Fourth World Documentation Project, The Center for World Indigenous Studies.

This attestation is made on August 18, 1998.

Attest: Jocelyn Savage

D. A. West

Witness to source and above signature

Merle Ann West

Witness to above signatures

****
A SIMPLE REQUEST
****

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TRAIL OF BROKEN TREATIES 20 POINTS FOR RENEWAL

OF CONTRACTS -- RECONSTRUCTION OF INDIAN CONTRACTS & SECURING AN INDIAN FUTURE IN AMERICA!

INTRODUCTION

Entitled "Trail of Broken Treaties: For Renewal of Contracts -- Reconstruction of Indian Communities and Securing an Indian Future in America" the points, here reprinted in their entirety, represent a culmination of efforts of the Caravan Workshop, conducted in St Paul, Minnesota, the week ending October 27, 1972. The effort reflected recommendations of Caravan participants, Indian authors, Tribal leaders, and Indian individuals who had offered such recommendations prior to the formation of the Trail of Broken Treaties Native Quest For Justice. Principle coordinator of the recommendations was Hank Adams, Assiniboine Sioux who composed the final draft that follows.

1. RESTORATION OF CONSTITUTIONAL TREATY-MAKING AUTHORITY

The U.S. President should propose by executive message, and the Congress should consider and enact, legislation to repeal the provision in the 1871 Indian Appropriations Act, which withdrew federal recognition from Indian Tribes and Nations as political entities which could be contracted by treaties with the United States, in order that the President may resume the exercise of his full constitutional authority for acting in the matters of Indian Affairs -- and in order that Indian Nations may represent their own interests in the manner and method envisioned and provided in the federal Constitution.

2. ESTABLISHMENT OF TREATY COMMISSION TO MAKE NEW TREATIES

The President should impanel and the Congress establish, within the next year, a Treaty Commission to contract a security and assistance treaty, or treaties, with Indian people to negotiate a national commitment to the future of Indian people for the last quarter of the Twentieth Century. Authority should be granted to allow tribes to contract by separate and individual treaty, multi-tribal or regional groupings, or national collective, respecting general or limited subject matter -- and provide that no provisions of existing treaty agreements may be withdrawn or in any manner affected without the explicit consent and agreement of any particularly related Indian Nation.

3. AN ADDRESS TO THE AMERICAN PEOPLE & JOINT SESSION OF CONGRESS

The president and the leadership of Congress should make commitment now and next January to request and arrange for four Native Americans -- selected by Indian people at a future date, and the President of the United States and any designated U.S. Senators and Representatives -- to address a joint session of Congress and the American people through national communications media, regarding the Indian future within the American Nation, and relationships between the Federal Government and Indian Nations --on or before June 2, 1974, the first half-century anniversary of the 1924 "Indian Citizenship Act."

4. COMMISSION TO REVIEW TREATY COMMITMENTS & VIOLATIONS

The President should immediately create a multilateral, Indian and non-Indian, Commission to review domestic treaty commitments and

complaints of chronic violations, and to recommend or act for corrective actions, including the imposition of mandatory sanctions or interim restraints upon violative activities, and including formulation of legislation designed to protect the jeopardized Indian rights and eliminate the unending patters of prohibitively complex lawsuits and legal defenses -- which habitually have produced indecisive and interminate results, only too frequently forming guidelines for more court battles, or additional challenges and attacks against Indian rights. Indians have paid attorneys and lawyers more than $40,000,000 since 1962. Yet many Indian people are virtually imprisoned in the nation's courtrooms in being forced constantly to defend their rights, and while many tribes are forced to maintain a multitude of suits in numerous jurisdictions relating to the same or single issue, or a few similar issues. There is less need for more attorney assistance than there is for institution of protections that reduce violations and minimize the possibilities for attacks upon Indian rights.

5. RESUBMISSION OF UNRATIFIED TREATIES TO SENATE FOR CONFIRMATION

The President should resubmit to the U.S. Senate of the next Congress those treaties negotiated with Indian Nations or their representatives, but never heretofore ratified nor rendered moot by subsequent treaty contract with such Indians not having ratified treaties with the United States. The primary purpose to be served shall be that of restoring the rule of law to the relationships between such Indians and the United States, and resuming a recognition of rights controlled by treaty relations. Where the failure to ratify prior treaties operated to affirm the cessions and the loss of title to Indian lands and territory, but failed to secure and protect the reservations of lands, rights, and resources reserved against cession, relinquishment, or loss, the Senate should adopt resolutions certifying that a prior de facto ratification has been effected by the Government of the United States, and direct that appropriate actions be undertaken to restore to such Indians an equitable measure of their reserved rights and ownership in lands, resources, and rights of self-government. Additionally, the President and the Congress should direct that reports be concluded upon the disposition of land rights and land title which were lawfully vested or held, for people of Native Indian blood under the 1848 Treaty of Guadalupe Hidalgo with Mexico.

6. ALL INDIANS TO BE GOVERNED BY TREATY RELATIONS

The Congress should enact Joint Resolution declaring that as a matter of public policy and good faith, all Indian people in the United Sates shall be considered to be in treaty relations with the Federal Government and governed by doctrines of such relationship.

7. MANDATORY RELIEF AGAINST TREATY RIGHTS VIOLATIONS

The Congress should add a new section to Title 28 of the United States Code to provide for the judicial enforcement and protection of Indian Treaty Rights. Such section should direct that, upon petition of any Indian Tribe or prescribed Indian groups and individuals claiming substantial injury to, or interference in, the equitable and good faith exercise of any rights, governing authority, or utilization and preservation of resources, secured by Treaty, mandatorily the Federal District Courts shall grant immediate enjoinder or injunctive relief against any non-Indian party or defendants, including State governments and their subdivisions or officers, alleged to be engaged in such injurious actions, until such time as the District U.S. Court may be

reasonably satisfied that a Treaty Violation is not being committed, or otherwise satisfied that the Indians' interests and rights, in equity and in law, are preserved and protected from jeopardy and secure from harm.

8. JUDICIAL RECOGNITION OF INDIAN RIGHT TO INTERPRET TREATIES

The Congress should by law provide for a new system of federal court jurisdiction and procedure, when Indian treaty or governmental rights are at issue, and when there are non-Indian parties involved in the controversy, whereby an Indian Tribe or Indian party may, by motion, advance the case from a federal District Court for hearing, and decision by the related U.S. Circuit Court of Appeals. The law should provide that, once an interpretation upon the matter has been rendered by either a federal district or circuit court, an Indian Nation may, on its own behalf or on behalf of any of its members, if dissatisfied with the federal court ruling or regarding it in error respecting treaty or tribal rights, certify directly to the United States Supreme Court a "Declaratory Judgment of Interpretation," regarding the contested rights and drawn at the direction or under the auspices of the affected Indian Nation, which that Court shall be mandated to receive with the contested decision for hearing and final judgement and resolution of the controversy -- except and unless that any new treaties which might be contracted may provide for some other impartial body for making ultimate and final interpretations of treaty provisions and their application. In addition, the law should provide that an Indian Nation, to protect its exercise of rights or the exercise of treaty or tribal rights by its members, or when engaging in new activities based upon sovereign or treaty rights, may issue an interim "Declaratory Opinion on Interpretation of Rights", which shall be controlling upon the exercise of police powers or administrative authorities of that Indian Nation, the Unites States or any State(s), unless or until successfully challenged or modified upon certification to and decision by the United States Supreme Court -- and not withstanding any contrary U.S. Attorney General's opinion(s), solicitor's opinion(s), or Attorney General's Opinion(s) of any of the States.

9. CREATION OF CONGRESSIONAL JOINT COMMITTEE ON RECONSTRUCTION OF INDIAN RELATIONS

The next Congress of the United States, and its respective houses, should agree at its outset and in its organization to withdraw jurisdiction over Indian Affairs and Indian-related program authorizations from all existing Committees, except Appropriations of the House and Senate, and create a Joint House/Senate "Committee on Reconstruction of Indian Relations and Programs" to assume such jurisdiction and responsibilities for recommending new legislation an program authorizations to both houses of Congress -- Including consideration and actions upon all proposals presented herewith by the "Trail of Broken Treaties Caravan" as well as matters from other sources. The Joint Committee membership should consist of Senators and Representatives who would be willing to commit considerable amounts of time and labor and conscientious thought to an exhaustive review and examining evaluation of past and present policies, program and practices of the Federal Government relating to Indian people; to the development of a comprehensive broadly-inclusive "American Indian Community Reconstruction Act" which shall provide for certain of the measures herein proposed, repeal numerous laws which have oppressively disallowed the existence of a viable "Indian Life" in this country, and effect the purposes while constructing the provisions which shall allow and ensure a secure Indian future in America.

10. LAND REFORM & RESTORATION OF AN 100-MILLION-ACRE NATIVE LAND BASE

The next Congress and Administration should commit themselves and effect a national commitment, implemented by statutes or executive and administrative actions, to restore a permanent non-diminishing Native American land-base of not less than 110-million acres by July 4, 1976. This land base and its separate parts should be vested with the recognized rights and conditions of being perpetually non-taxable, except by autonomous and sovereign Indian authority, and should never again be permitted to be alienated from Native American or Indian ownership and control.

10a. PRIORITIES IN RESTORATION OF NATIVE AMERICAN LAND BASE

When Congress acted to delimit the President's authority and the Indian Nations' powers for making treaties in 1871, approximately 135,000,000 acres of land and territory had been secured to Indian ownership against cession or relinquishment. This acreage did not include the 1867 treaty-secured recognition of land title and rights of Alaskan Natives, nor millions of acres otherwise retained by Indians in what were to become "unratified" treaties of Indian land cession, as in California, nor other land areas authorized to be set aside for Indian Nations contracted by, but never benefitting from, their treaties. When the Congress, in 1887, under the General Allotment Act and other measures of the period and "single system of legislation" delegated treaty-assigned Presidential responsibilities to the Secretary of the Interior and his Commissioner of Indian Affairs and agents in the Bureau of Indian Affairs, relating to the government of Indian relations under the treaties for the 135 million acres, collectively held, immediately became subject to loss. The 1887 Act provided for the sale of "surplus" Indian lands -- and contained a formula for the assignment or allocation of land tracts to Indian individuals, dependent partly on family size, which would have allowed an average-sized allotment of 135 acres to ONE MILLION INDIANS -- at a time when the member of tribally-related Indians was less than a quarter-million or fewer than 200,000. The Interior Department efficiently managed the loss of 100-million acres of Indian land, and its transfer to non-Indian ownership (frequently by homestead, not by direct purchase) in little more than the next quarter century. When Congress prohibited further allotments to Indian individuals, by its 1934 Indian Reorganization Act, it effectively determined that future generations of Indian people would be "landless Indians" except by heirship and inheritance. (110-million acres, including 40-million acres in Alaska, would approximate an average of 135 acres multiplied by .8 million Native Americans, a number indicated by the 1970 U.S. Census.)

Simple justice would seem to demand that priorities in restorations of land bases be granted to those Indian Nations who are landless by fault of unratified or unfulfilled treaty provisions; Indian Nations, landless because of congressional and administrative actions reflective of criminal abuse of trust responsibilities; and other groupings of landless Indians, particularly of the landless generations, including many urban Indians and non-reservation Indian people -- many of whom have been forced to pay, in forms of deprivation, loss of rights and entitlements, and other extreme costs upon their lives, an "emigration-migration-education-training" tax for their unfulfilled pursuit of opportunity in America -- a "tax" as unwarranted and unjustified as it is unprecedented in the history of human rights in mature nations possessed of a modern conscience.

10b. CONSOLIDATION OF INDIANS' LAND, WATER, NATURAL & ECONOMIC RESOURCES

The restoration of an equitable Native American Land Base should be accompanied by enlightened revision in the present character of alleged "trust relationships" and by reaffirmation of the creative and positive characters of Indian sovereignty and sovereign rights. The past pattern of treating "trust status" as wrongful "non-ownership" of properties, beyond control of individual interests and "owners" could be converted to a beneficial method of consolidating usable land, water, forests, fisheries, and other exploitable and renewable natural resources into productive economic, cultural, and other community-purpose units, benefiting both individual and tribal interests in direct forms under autonomous control of properly-defined, appropriate levels of Indian government. For example, the 13.5 million acres of multiple and fractionated heirship lands should not represent a collective denial of beneficial ownership and interests of inheriting individuals, but be considered for plans of collective and consolidated use. (The alternatives and complexities of this subject and its discussion require the issuance of a separate essay at a later date.)

10c. TERMINATION OF LEASES & CONDEMNATION OF NON-INDIAN LAND TITLE

Most short-term and long-term leases of some four million acres of Indians' agricultural and industrial-use lands represent a constant pattern of mismanagement of trust responsibilities -- with the federal trustees knowingly and wilfully administering properties in methods and terms which are adverse or inimical to the interests of the Indian beneficiaries and their tribes. Non-Indians have benefit of the best of Indian agricultural range and dry farm lands, and of some irrigation systems, generally having the lowest investment/highest return ratios, while Indians are relegated to lands requiring high investments/low returns. A large-scale, if selective, program of lease cancellations and non-renewals should be instituted under Congressional authorization as quickly as possible. As well, Indian Tribes should be authorized to re-secure Indian ownership of alienated lands within reservations boundaries under a system of condemnation for national policy purposes, with the federal government bearing the basic costs of "just compensation" as burden for unjustified betrayals of its trust responsibilities to Indian people. These actions would no way be as extreme as the termination, nationalization, confiscation and sale of millions of acres of reservation land by a single measure as in the cases of the Menominee and Klamath Indian Tribes, and attempted repeatedly with the Colvilles.

10d. REPEAL OF THE MENOMINEE, KLAMATH & OTHER TERMINATION ACTS

The Congress should act immediately to repeal the Termination Acts of the 1950s and 1960s, and restore ownership of the several million acres of land to the Indian people involved, perpetually non-alienable and tax-exempt. The Indians' rights to autonomous self-government and sovereign control of their resources and development should be reinstated. Repeal of the terminal legislation would also advance a commitment towards a collective 110-million acre land base for Native Americans -- when added to the near 55-million acres already held by Indians, apart from the additional 40-million acres allocated in Alaska. (The impact of termination in its various forms has never been understood fully by the American people, the Congress, and many Indian people. Few wars between nations have ever accomplished as much as the total dispossession of a people of their rights and resources as have the total victories and total surrenders legislated by the Termination

Laws. If the Arab States of the present Mid-East could comparably presume the same authority over the State of Israel, they could eliminate Israel by the purchase or by declaring it an Arab State or subdivision thereof; on the one hand, evicting the Israelis from the newly-acquired Arab lands, or on the other, allowing the Israelis to remain as part of the larger Arab Nation, and justify the disposition to the world by the claim that, whether leaving or remaining, but without their nation, the Jewish people would still be Jewish. Such an unacceptable outrage to American people would quickly succeed to World War III -- except when such actions are factually taken against Menominees, Klamaths, Senecas, Utes, and threatened against many other landed nations of Indian peoples.)

11. REVISION OF 25 U.S.C. 163; RESTORATION OF RIGHTS TO INDIANS TERMINATED BY ENROLLMENT & REVOCATION OF PROHIBITION AGAINST DUAL BENEFITS

The Congress should enact measures fully in support of the doctrine that an Indian Nation has complete power to govern and control its own membership -- by eradicating the extorsive and coercive devices in federal policy and programming which have subverted and denied the natural human relationships and natural development of Indian communities, and committed countless injuries upon Indian families and individuals. The general prohibition against benefitting dually from federal assistances or tribal resources by having membership or maintaining relationships in more than one Indian Tribe has frequently resulted in denial of rights and benefits from any sources. Blood quantum criteria, and closed and restrictive enrollment, and "dual benefits prohibitions" have generated minimal problems for Indians having successive non-Indian parentage involved in their ancestry -- while creating vast problems and complexities for full-blood and predominant-Indian blood persons, when ancestry or current relationships involve two separate Indian tribes, or more. Full-blood Indians can fail to qualify for membership in any of several tribes to which they may be directly related if quantum-relationships happen to be in wrong configurations, or non-qualifying fractions. Families have been divided to be partly included upon enrollments, while some children of the same parents are wrongly (if there are at all to be enrollments) excluded. There should be a restoration of Indian and tribal rights to all individual Indians who have been victimized and deprived by the vicious forms of termination effected by forced choices between multiple-related tribes, abusive application of blood-quantum criteria, and federally-engineered and federally-approved enrollments. The right of Indian persons to maintain, sever, or resume valid relations with several Indian Nations or communities unto which they are born, or acquire relationships through natural marriage relations or parenthood and other customary forms, must again be recognized under law and practice and also the right of Indian Nations to receive other Indian people into relations with them -- or to maintain relations with all their own people, without regard to blood-quantum criteria and federal standards for exclusion or restrictions upon benefits. (It may be recognized that the general Indian leadership has become conditioned to accept and give application to these forms of terminating rights, patterns which are an atrocious aberration from any concepts of Indian justice and sovereignty.)

12. REPEAL OF STATE LAWS ENACTED UNDER PUBLIC LAW 280 (1953)

State enactments under the authority conferred by the Congress in Public Law 280 have posed the most serious threat to Indian sovereignty and local self-government of any measure in recent decades.

Congress must now nullify those State statutes. Represented as a "law enforcement" measure, PL280 robs Indian communities of the core of their governing authority and operates to convert reservation areas into refuges from responsibilities, where many people, not restricted by race, can take full advantage of a veritable vacuum of controlling law, or law which commands its first respect for justice by encouraging an absence of offenses. These States' acceptance of condition for their own statehood in their Enabling Acts -- that they forever disclaim sovereignty and jurisdiction over Indian lands and Indian people -- should be binding upon them and that restrictive condition upon their sovereignty be reinstated. They should not be permitted further to gain from the conflict of interest engaged by such States' participation in enactment of Public Law 280 -- at the expense of future Indian people in their own communities, as well as our present welfare and well-being.

13. RESUME FEDERAL PROTECTIVE JURISDICTION FOR OFFENSES AGAINST INDIANS

The Congress should enact, the Administration support and seek passage of, new provisions under Titles 18 and 25 of the U.S. Code, which shall extend the protective jurisdiction of the United States over Indian persons wherever situated in its territory and the territory of the several states, outside of Indian reservations or country, and provide the prescribed offenses of violence against Indian persons shall be federal crimes, punishable by prescribed penalties through prosecutions in the federal judiciary, and enforced in arrest actions by the Federal Bureau of Investigation, U.S. Marshals, and other commissioned police agents of the United States -- who shall be compelled to act upon the commission of such crimes, and upon any written complaint or sworn request alleging an offense, which by itself would be deemed probable cause for arresting actions.

13a. ESTABLISHMENT OF A NATIONAL FEDERAL INDIAN GRAND JURY

The Congress should establish a special national grand jury, consisting solely of Indian members selected in part by the President and in part by Indian people, having a continuous life and equipped with its own investigative and legal staff, and presided over by competent judicial officers, while vested with prescribed authorities of indictments to be prosecuted in the federal and Indian court systems. This grand jury should be granted jurisdiction to act in the bringing of indictments on basis of evidence and probable cause within any federal judicial district where a crime of violence has been committed against an Indian and resulted in an Indian's death, or resulted in bodily injury and involved lethal weapons or aggressive force, when finding reason to be not satisfied with handling or disposition of a case or incident by local authorities, and operating consistent with federal constitutional standards respecting rights of an accused. More broadly and generally, the grand jury should be granted broad authority to monitor the enforcement of law under Titles 18, 25, and 42, respecting Indian jurisdiction and civil rights protections; the administration of law enforcement; confinement facilities and juvenile detention centers, and judicial systems in Indian country; corrupt practices or violations of law in the administration of federal Indian agencies or of federally-funded programs for Indian people -- including administration by tribal officials or tribal governmental units -- and federal employees; and issue special reports bringing indictments when warranted, directed toward elimination of wrong-doing, wrongful administration or practices; and improvement recommendations for systems to ensure proper services and benefits to communities, or Indian people.

13b. JURISDICTION OVER NON-INDIANS ON RESERVATIONS

The Congress should eliminate the immunity of non-Indians to the general application of law and law enforcement within Reservation Boundaries, without regard to land or property title. Title 18 of the U.S. Code should be amended to clarify and compel that all persons within the originally-established boundaries of an Indian Reservation are subject to the laws of the sovereign Indian Nation in the exercise of its autonomous governing authority. A system of concurrent jurisdiction should be minimum requirement in incorporated towns.

13c. ACCELERATED REHABILITATION & RELEASE PROGRAMS FOR STATE & FEDERAL PRISONS

The Administration should immediately contract an appropriately staffed Commission of Review on Rehabilitation of Indian Prisoners in federal and state institutions, funded from Safe Streets and Crime Control funds, or discretionary funds under control of the President, and consisting of Indian membership. The review commission would conduct census and survey of all Indian prisoners presently confined, compile information on records of offenses, sentences; actions of committing jurisdictions (courts, police, pre-sentence reports, probation and parole systems) and related pertinent data. The basic objective of the review commission would be to arrange for the development of new systems of community treatment centers or national/regional rehabilitation centers as alternatives to existing prison situations; to work with the Bureau of Prison and federal parole systems to arrange for accelerated rehabilitation and release programs as justified, and to give major attention to the reduction of offenses and recidivism in Indian communities. The commission would act to provide forms by which Indian people may assume the largest measures of responsibility in reversing the rapidly-increasing crime rates on Indian reservations, and re-approaching situations where needs for jails and prisoner institutions may again be virtually eliminated. The Congress should provide appropriate authorizations in support of such effort -- perhaps extending the protective jurisdiction of the United States over Indians in State institutions, to provide for transfer to Indian-operated rehabilitation and treatment centers, at least probations systems, in a bargain of responsibility for bringing about vast reduction in incidents of offenses among Indian communities. (The $8,000,000 BIA budget for Law and Order is not directed toward such purposes -- spending nearly half of its present increases on new cars to gauge the increases in reported offenses.)

(Note on 13 - 13c: The U.S. has asserted its jurisdiction over Indians nationwide, and may now do so again protectively. The Congress controlled liquor sales to Indians nationally until 1953, allowing prosecution for non-Indian offenders. Education of Indians in public state schools is essentially a contracting of jurisdiction to States.)

14. ABOLITION OF THE BUREAU OF INDIAN AFFAIRS BY 1976

The Congress, working through the proposed Senate-House "Joint Committee on Reconstruction of Indian Relations and Programs," in formulation of an Indian Community Reconstruction Act, should direct that the Bureau of Indian Affairs shall be abolished as an agency on or before July 4, 1976; to provide for an alternative structure of government for sustaining and revitalizing the Indian-federal relationship between the President and the Congress of the United

States, respectively, and the respective Indian Nations and Indian people at last consistent with constitutional criteria, national treaty commitments, and Indian sovereignty, and provide for transformation and transition into the new systems as rapidly as possible prior to abolition of the BIA.

15. CREATION OF AN "OFFICE OF FEDERAL INDIAN RELATIONS AND COMMUNITY RECONSTRUCTION

The Bureau of Indian Affairs should be replaced by a new unit in the federal government which represents an equality of responsibility among and between the President, the congress, and the governments of the separate Indian Nations (or their respective people collectively), and equal standing in the control of relations between the Federal Government and Indian Nations. The following standards and conditions should be obtained:

A. The Office would structurally be placed in the Executive Offices of the President, but be directed by a tri-partite Commission of three Commissioners, one being appointed by the President, one being appointed by the Joint Congressional Committee, and one being selected by national election among Indian people, and all three requiring confirmation by the U.S. Senate.

B. The Office would be directly responsible to each the President, the Congress, and Indian people, represented by a newly-established National Indian Council of no more than twenty members selected by combination national and regional elections, for two-year terms, with half expiring each year.

C. All existing federal agencies and program units presently involved or primarily directed toward serving Indian would be consolidated under the new office, together with the budget allocations of the Departments assisting Indians although primarily oriented toward other concerns. All programs would be reviewed for revision of form, or elimination altogether, or continuance.

D. A total personnel and employee structure ceiling of no more than 1,000 employees in all categories should be placed upon the new office for its first five years of operation. Employment in the new office would be exempt from Civil Service regulations and provisions. (The Civil Service Commission and federal employee unions should be requested to propose a plan for preference hiring in other agencies and for transfer of benefits to new employment, for presentation to Congress, incident to abolition of the BIA and other Indian-related federal programs.)

E. The office would maintain responsibility over its own budget and planning functions, independent from any control by the Office of Management and Budget (OMB), and should be authorized a $15,000,000,000 budget, reviewing the efficiency of the Office and the impact and progress of the programming. The Appropriations Committees should not impose undue interference in plans, but should insist upon equitable treatment of all Indian Nations and general Indian people who would not be denied their respective direct relations with the Congress, or with the President.

F. The office of Federal Indian Relations would assume the administrative responsibility as trustee of Indian properties and property rights, until revision of the trust responsibility might be accomplished and delegated for administration as a function and expression of the sovereign authority of the respective Indian Nations.

16. PRIORITIES AND PURPOSE OF THE PROPOSED NEW OFFICE

The central purpose of the proposed "Office of Federal Indian Relations and Community Reconstruction" is to remedy the break-down in constitutionally-prescribed relationships between the United States and Indian Nations and people and to alleviate the destructive impact that distortion in those relationships has rendered upon the lives of Indian people. More directly, it is proposed for allowing broad attacks upon the multitude or millions of problems which confront Indian lives, or consume them, and which cannot be eliminated by piece-meal approaches, jerry-built structures, or bureaucracies or by taking on one problem at a time, always to be confronted by many more. The Congress with assent of the Courts, has developed its constitutional mandate to "regulate Indian commerce" into a doctrine of absolute control and total power over the lives of Indians -- through failing to give these concerns the time and attention that the responsibilities of such power demand. The Congress restricted the highest authority of the President for dealing with Indian matters and affairs, then abandoned Indian people to the lowest levels of bureaucratic government for administration of its part-time care and asserted all-powerful control. The constitution maintained Indian people in citizenship and allegiance to our own Nations, but the Congress and the Bureau of Indian Affairs has converted this constitutional standard into the most bastardized forms of acknowledged autonomy and "sovereign self-governing control" -- scarcely worthy of the terms, if remaining divested of their meaning. A central priority of the proposed Office should be the formulation of legislation designed to repeal the body of "Indian Law" that continues to operate most harmfully against Indian communities -- including sections of the 1934 Indian Reorganization Act and prior legislation which instituted foreign forms of government upon our Nations, or which have served to divorce tribal government from responsibilities and accountability to Indian people.

At this point in time, there is demonstrable need for the Congress to exercise highest responsibilities to Indian people in order that we might have a future in our homeland. This requires that Congress now recognize some restrictions upon its own authority to intervene in Indian communities and act to totally exclude the exercise of local tribal sovereignty and self-governing control. The proposed Office of Federal Indian Relations and Community Reconstruction should be authorized the greatest latitude to act and to remove restrictions from the positive actions of Indian people. This can be achieved if the Congress establishes a new Office in the manner proposed, and authorizes it in promising degree to operate as instrumentality of its responsibilities.

17. INDIAN COMMERCE AND TAX IMMUNITIES

The Congress should enact a statute or Joint Resolution certifying that trade, commerce, and transportation of Indians remain wholly outside the authority, control, and regulation of the several states. Congressional acts should provide that complete taxing authority upon properties, use of properties, and income derived therefrom, and

business activities within the exterior boundaries of Indian reservations, as well as commerce between reservations and Indian Nations, shall be vested with the respective or related tribal governments, or their appropriate subdivisions -- or certify that, consistent with the 14th Amendment, Section 2 statehood enabling acts, prevailing treaty commitments, and the general policy of the United States, that total Indian immunity to taxing authority of states is reaffirmed and extended with uniformity to all Indian Nations as a matter-established or vested right. (These questions should not have to be constantly carried to the courts for reaffirmations -- disregarded as general law, and attacked by challenge with every discernable variation or difference in fact not considered at a prior trial.) (Tribes have been restricted in their taxing authorities by some of the same laws which exclude federal or state authority. However, there are areas where taxing authorities might be used beneficially in the generations of revenues for financing government functions, services, and community institutions.) (The Congress should remove any obstacles to the rights of Indian people to travel freely between Indian Nations without being blocked in movement, commerce, or trade, by barriers of borders, customs, duties, or tax.)

18. PROTECTION OF INDIANS' RELIGIOUS FREEDOM AND CULTURAL INTEGRITY

The Congress shall proclaim its insistence that the religious freedom and cultural integrity of Indian people shall be respected and protected throughout the United States, and provide that Indian religion and culture, even in regenerating or renaissance or developing stages, or when manifested in the personal character and treatment of one's own body, shall not be interfered with, disrespected, or denied. (No Indian shall be forced to cut his hair by any institution or public agency or official, including military authorities or prison regulation, for example.) It should be an insistence by Congress that implies strict penalty for its violations.

19. NATIONAL REFERENDUMS, LOCAL OPTIONS, AND FORMS OF INDIAN ORGANIZATION

The Indian population is small enough to be amenable to voting and elective processes of national referendums, local option referendums, and other elections for rendering decisions, approvals, or disapprovals on many issues and matters. The steady proliferation of Indian and Indian-interest organizations and Indian advisory boards and the like, the multiplication of Indian officials, and the emergence of countless Indian "leaders", represent a less-preferable form for decision-making, a state of disorganization, and a clear reflection of deterioration in the relations between the United States and Indian people as contracting sovereigns holding a high standard of accountability and responsibility. Some Indians seem to stand-by to ratify any viewpoints relating to any or all Indians; others conditioned to accept any viewpoint or proposal from official source. Whereas Indian people were to be secure from political manipulation and the general political system in the service of Indian needs, political favor, and cutthroat competition for funds with grants made among limited alliances of agency-Indian friends have become the rule -- while responsibilities and accountability to Indian people and Indian communities have been forgotten. While the treaty relationship allows that we should not be deprived by power what we are possessed of by right -- little personal power and political games are being played by a few Indians while we are being deprived of our rights. This dissipation of strength, energies, and commitment should end. We should consolidate our resources and purpose to restore relations born of sovereignty and to resume command of our communities, our rights, our

resources, and our destiny. (The National Council on Indian Opportunity, Association on American Indian Affairs, and the National Tribal Chairman's Association are examples of government, non-Indian directed, and Indian organizations which are among many which should and could be eliminated. At least, none should be funded from federal sources.)

20. HEALTH, HOUSING, EMPLOYMENT, ECONOMIC DEVELOPMENT AND EDUCATION

The Congress and Administration and proposed Indian Community Reconstruction Office must allow for the most creative, if demanding and disciplined, forms of community development and purposeful initiatives. The proposed $15,000,000,000 budget for the 1970's remainder could provide for complete construction of 100, 000 new housing units; create more than 100,000 new, permanent, income and tribal revenue- producing jobs on reservations and lay foundation for as many more in years following; meet all the economic and industrial development needs of numerous communities; and make education effective at all levels and provide health services or medical care to all Indians as a matter of entitlement and fulfilled right. Yet we now find most Indians unserved and programs not keeping pace with growing problems under a Billion Dollar-plus budget annually-approximating a service cost of $10,000 per reservation family per year, or $100,000 this decade. Our fight is not over a $50 Million Dollar Cutback in a mismanaged and misdirected budget, and cannot be ended with that then invisible amount-but over the part that it, any and all amounts, have come to play in a perennial Billion Dollar indignity upon the lives of Indian people, our aged, our young, our parents and our children. Death remains a standard cure for environmentally-induced diseases afflicting many Indian children without adequate housing facilities, heating systems, and pure water sources. Their delicate bodies provide their only defense and protection-and too often their own body processes become allies to the quickening of their deaths, as with numerous cases of dysentery and diarrhea. Still, more has been spent on hotel bills for Indian-related, problem-solving meetings, conferences and conventions than has been spent on needed housing in recent years. More is being spent from federal and tribal fund sources on such decision-making activities than is being committed to assist but two-thirds of Indian college students having desperate financial need. Rather, few decisions are made, and less problems solved, because there has developed an insensitivity to conscience which has eliminated basic standards of accountability. Indian communities have become fragmented in governmental, social, and institutional functions as they have become restructured or destructed to accommodate the fragmentation in government programming and contradictions in federal policies. There is need to re integrate these functions into the life and fabric of the communities. Of treaty provisions standard to most treaties, none has been breached more viciously and often as those dealing with education-first by withdrawing education processes from jurisdiction and responsibility of Indian communities, and from the powers of Indian self-government-and failing yet to restore authority to our people, except thorough increased funding of old advisory and contract-delegation laws, or through control to conduct school in the conditioned forms and systems devised by non-Indians, or otherwise commended by current popularity. At minimum, Indian Nations have to reclaim community education authority to allow creative education processes in forms of their free choice, in a system of federally-sanctioned unit or consolidated Indian districts, supported by a mandatory recognition of accreditation in all other systems in this land.

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Special Thanks to David Goyette for finding point 20 which was
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